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UNIVERSITY OF NORTH CAROLINA
EXTENSION BULLETIN

VOL. XVII JULY, 1937 NO. 1

OUR NORTH CAROLINA SCHOOLS

Handbook for Group Discussion
Prepared for The North Carolina Congress of Parents and Teachers

CHAPEL HILL MCMXXXVII

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Published six times a year, July, September, October, November, January, and March, by the University of North Carolina Press.
Entered as second-class matter October 19, 1921, Chapel Hill, N. C.

PREFACE

This Bulletin was prepared at the request of the North Carolina Congress of Parents and Teachers. The chapters were written, under the direction of Dr. George Howard, by graduate students in a University summer session class. The material was presented for discussion at the Tenth Annual Parent-Teacher Institute held at Chapel Hill, August 9-14, 1937. The University Extension Division published this as factual material together with references and suggested questions for further study and discussion.

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HOW THE SCHOOLS IN NORTH CAROLINA ARE ORGANIZED

by

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Cleveland, N. C.

INTRODUCTION

The success of a school system is dependent to a very great extent on proper organization. The school system of the state should be so organized as to eliminate any doubt as to the place of authority and responsibility for the administration and conduct of each phase of the school program. Our largest and most successful private business corporations are highly organized in order to secure the highest possible degree of efficiency. The school system in North Carolina is the biggest and most important business in the state. The people of the state own the schools and pay the taxes for the support of this most important business. The school system is the most important business because the schools are established and maintained for the sole purpose of educating our children who are, to us, the most important persons in the world. The future of our state and nation is dependent on the type of education we furnish our children of today.

PRESENT STATE SCHOOL ORGANIZATION

At the present time the North Carolina state school organization is composed of the following boards: (1) The State Board of Education, (2) The State School Commission, (3) The State Board for Vocational Education, (4) The State Textbook Commission, and (5) The Board of Business Education, and various other committees, bureaus, and agencies, with which the schools have to deal.

In the local administrative units we have the county and city superintendents, the county and city boards of education, district committee, principals, and teachers.

STATE BOARD OF EDUCATION

The State Board of Education is an ex officio board with the membership being definitely written into the constitution in 1868. The membership was fixed definitely as follows: (1) Governor, (2) Lieutenant-Governor, (3) Secretary of State, (4) Treasurer, (5) Auditor, (6) Attorney-General, and (7) State Superintendent of Public Instruction. It was further stated that "The Governor shall be president and the Superintendent of Public Instruction shall be secretary of the State Board of Education."

The duties and powers of the State Board of Education were stated in the constitution as follows: "The State Board of Education shall succeed to all the powers and trusts of the president and directors of the Literary Fund of the state and shall have full power to legis-

late and make all needful rules and regulations to free public schools and the educational fund of the state; but all acts, rules and regulations of said board may be altered, amended, or repealed by the General Assembly, and when so altered, amended, or repealed, they shall not be re-enacted by said board."

This shows that the constitution intended the control and management of the public schools to be vested in the State Board of Education as an administrative board. The State Board of Education, under the constitution is responsible to the people of the state for the manner in which the public schools are conducted, and this in turn molds the citizenry of the State of North Carolina.

There is nothing stated in the constitution or legislative enactments regarding the qualification of the members of the State Board of Education. As set forth in the constitution, all members of the State Board of Education are ex officio. They are members of this board by virtue of the fact that they have been elected to other specified political offices.

Since the members are ex officio and the offices to which they have been directly elected by popular vote of the people, naturally leads to a direct responsibility to the people for their particular office, and, with the exception of the State Superintendent of Public Instruction, their services to schools are secondary.

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

The State Superintendent of Public Instruction in North Carolina is elected to office by popular vote of the people every four years at the general election. The law does not provide any qualifications as being required except that of being elected by popular vote at the general election. This reduces the position to a purely political office. The state superintendent is by law an ex officio member of the State Board of Education, also of the various other boards of education in the state, viz.: Executive officer of the State Board of Vocational Education; Member of State School Commission; Chairman of Board of Trustees of East Carolina Teachers College; Member of Board of Trustees of the University of North Carolina; Member of Board of Trustees of Appalachian State Teachers College; ex officio Chairman of Board of Trustees of Caswell Training School; ex officio Chairman of Board of Trustees of Western Carolina Teachers College; member of State Library Commission; Member of the Council of State .

He is to serve as secretary to the State Board of Education, look after the school interests of the state and to report biennially to the governor. He is the constitutional official executive of the school system and it is his duty to direct the operations of the public schools, to construe and enforce the laws and regulations of the State Board of Education and of the General Assembly.

STATE SCHOOL COMMISSION

The legislature of 1927 established a State Board of Equalization and increased the equalizing fund to $3,250,000.00 in order to more equally distribute the tax burden for schools and to equalize the school advantages.

In 1929 the equalization fund was increased to $6,500,000.00 and the powers and duties of the Board of Equalization were increased.

In 1931, the legislature enacted a six months state supported school law and increased the state fund to $18,000,000.00. The duties and powers of the State Board of Equalization were again increased, and the board became in practice a full fledged board of education, so far as its control over the school system was concerned. This board by acts of the legislature seemed to gain practically full authority to run the school system as a substitute for the constitutional board of education.

The legislature of 1933 changed the name of the Board of Equalization to that of State School Commission. This same legislature enacted an eight months state supported school law and appropriated $16,000,000.00 for the operation of the schools for the eight months term. This appropriation for an eight months term was two million dollars less than the state provided the previous year for the constitutional six months term. In addition to reducing the state appropriation by two million dollars and including two more months over which to spread this appropriation, the legislature abolished all local taxes for schools, except debt service taxes, that had been voted by various districts and cities since 1900. This caused the state minimum to become the maximum for all schools except seven cities which were able to vote special taxes to supplement the state provided minimum.

Since the school year 1933-34 some other administrative units have followed the example of the seven in voting to supplement the state provided minimum but the state minimum is still the maximum for the great majority of our boys and girls.

The legislatures of 1935 and 1937 did not materially alter the plan of organization as set up by the legislature of 1933. The machinery for the distribution of the state school funds and administering the school system is vested by the legislature in the State School Commission with the executive secretary of the commission becoming the executive head of the schools.

The composition of the State School Commissison is not greatly different from that of the old State Board of Equalization. The Lieutenant-Governor is ex officio Chairman and the members are the State Treasurer, the State Superintendent of Public Instruction, and one member from each congressional district appointed by the Governor. The law does not provide any qualifications as being required of members of the State School Commission. The Governor may appoint whomsoever he desires for whatsoever purposes he desires, there

being no restriction except that one member shall be appointed from each congressional district.

STATE BOARD FOR VOCATIONAL EDUCATION

In 1917 by an act of the Congress of the United States, a law was passed for the promotion of vocational education and cooperation with the states in carrying this into effect.

The North Carolina General Assembly passed an act in March 1917 creating a State Board for Vocational Education to cooperate with the Federal Government in making the Federal appropriations of service to the state.

The legislature directed that the State Board for Vocational Education should consist of four members as follows: the State Superintendent of Public Instruction and three other members to be appointed by the Governor, one to represent agriculture, one to represent home economics, and one to represent trades and industries. These members are appointed for terms of four years.

This board is clothed with all duties and powers pertaining to vocational education and has been functioning as a definite part of the educational system of North Carolina since 1917.

COUNTY AND CITY ADMINISTRATIVE UNITS

The governing body of the County Administrative Unit is the County Board of Education. The members of the County Board of Education are appointed by the State Legislature. There are five members on the majority of the county boards but no definite number is specified in the law. We find the number of members varying with only three members in some counties and with seven in some and even a greater number in a few counties. There are no special qualifications set up in the law regarding eligibility for membership on a county board and the legislature is not limited as to who shall be appointed. The custom is followed in the counties of having nominations made in the party primaries or party conventions for membership on the County Board of Education and these nominations are submitted to the legislature as a recommendation. The legislature may appoint all or any of the persons thus recommended or may ignore these recommendations altogether and appoint any members that may be desired by the legislature.

The County Board of Education is charged with the duty of preparing and submitting to the School Commission and to the tax-levying authorities all necessary budgets, whether for debt service, capital outlay, maintenance of plants or the operation of the schools. It has the power to require the County Commissioners to call an election to vote on the supplementing of State Funds. It also appoints the local committeemen for each district in the unit, and, subject to the

approval of the School Commission, and State Superintendent of Public Instruction, elects the County Superintendent.

The County Superintendent is the administrative officer of the county unit. He may, among other things, approve or reject all teachers selected by local committeemen. He has active charge of running the schools in the unit.

The county unit is divided by the School Commission, on the advice of the County Board of Education, into school districts. Each district within the county unit is presided over by a committee appointed by the County Board of Education. The powers of the district committee are very limited. They elect the District Principal, subject to the approval of the County Superintendent and the County Board of Education. The law provides that the teachers shall be nominated by the principal of the district and elected by the local committee, subject to the approval of the County Superintendent of Schools and the County Board of Education.

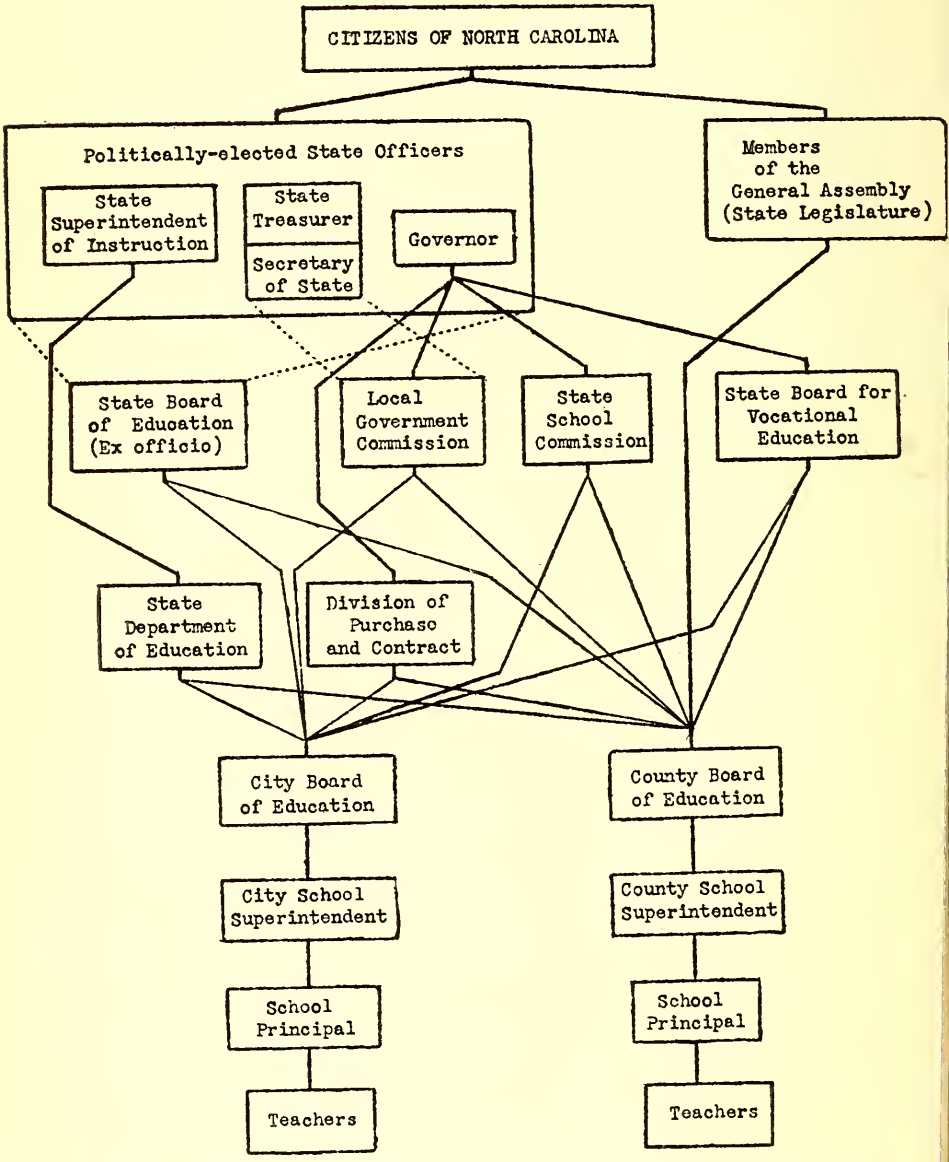
Each city Administrative Unit is governed by the same board which governed the old special charter district included in it. A superintendent is elected by the city board and is the administrative officer of the city unit. The City Superintendent and the City Board of Education have the same powers within the city unit as the County Superintendent, County Board of Education, and District Committee have within the county unit.

FEDERAL RELATION TO EDUCATION

The writer feels that this study would be quite incomplete without a brief consideration being given to the relation of our national government to our educational system. From the Revolution to the Civil War, the Federal Government encouraged and financially aided education in the States. During this period, local responsibility and control was so much taken as a matter of course that in making appropriations to the States to aid in their educational program, the Federal Government did not attempt to regulate the purposes, define the programs, supervise the teaching, or otherwise control education in the States. Throughout this long earlier period, the spirit of the Federal Government was in harmony with the principle of state and local autonomy.

Beginning with an act of Congress in 1862, known as the Morrill Act, the Federal Government changed its policy and procedure. Where the appropriations had been for educational facilities as a whole with no emphasis on any special phase of the curriculum, a program was entered upon which specified exactly what phases of the curriculum would benefit by the Federal appropriation. The immense value of the services rendered by the special grants of the Federal Government are recognized by everyone. The question to be raised is whether the

PRESENT ORGANIZATION OF THE NORTH CAROLINA PUBLIC SCHOOL SYSTEM



According to this chart, who is responsible for the education of our children?

policy initiated by the Morrill Act is a sound public policy to follow indefinitely.

Every federal educational act passed since 1862 has followed the principle of the Morrill Act in encouraging some special phase of education. Reference has already been made to the act of 1917 that led to the setting up in North Carolina of a special board for vocational education in order to participate in the federal appropriations. The Act requires the final approval of the Federal Board for Vocational Education for every state plan adopted. The Act requires that monies offered by the Federal Government shall be matched by the State or local governments or both. Minimum standards, determining hours and minutes of instruction, are set up in the federal acts and must be accepted by the agencies participating.

The National Advisory Committee on Education believes that harm may eventually result from the policies now being followed by the Federal Government in aiding education. It is their opinion that federal appropriations should be made and a strict accounting required but that the particular phases of education to be aided should be determined locally according to the particular state and local needs. It is a question worthy of our study and consideration.

Questions for Discussion

1. What restrictions are placed upon the building of new school buildings?
2. What limitations are placed upon the maintenance of school property?
3. How are County Boards of Education appointed?
4. Are Acts of the State School Commission subject to the approval of any Board?
5. What are the advantages (or disadvantages) of having a district principal?
6. What is the procedure for electing a City (or County) Superintendent of Schools?
7. Who is responsible, under the present system, for a program of supervision?
8. Is there sufficient inducement, under the present system, for local interest in schools?
9. Should any of the powers and duties now placed with the various state boards be placed with the county superintendent and county board or city superintendent and city board?
10. Should local districts be granted more voice, through their committee, in determining the type of school that will be provided for their children?

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CHAPTER II

FINANCING THE PUBLIC SCHOOLS OF NORTH CAROLINA

by

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INTRODUCTION

Prior to 1825 very little encouragement was given to the establishment of public schools either by state aid or local taxes voted by the counties or districts. The history of state support for public education begins in 1825, when the legislature established an endowment fund of approximately twenty-nine thousand dollars, which was known as the Literary Fund. Since this amount was not sufficient to inaugurate a system of public schools, the principal was invested and the interest accruing therefrom was to go to the support of the "poor schools."

The legislature, having made provision by statute for the counties and districts to levy a tax for the support of schools, laid the foundation for a system of state aid to encourage the counties to make provision for schools. Not very much of the Literary Fund was ever used for the support of schools, the greater portion of it going into other items of state expense. When the State Constitution was ratified in 1868, the support of public schools was placed on a different basis, and so far as current expenses were concerned the Literary Fund was not used after that date. But it was converted into a loan fund and has been used from time to time to aid in the building of schools.

From 1868 to 1920 there was an ad valorem tax on all the property of the state for public education. The legislature of 1901 made an appropriation of $100,000 to be known as an equalizing fund to guarantee a four months constitutional term in each county. At a later date a per capita fund of $100,000 was established to aid the counties in carrying on the schools. This appropriation was gradually increased by succeeding legislatures until it amounted to $1,500,000. In 1920 the state property tax was replaced by other forms of taxation, namely: income, franchise, inheritance, and certain business taxes for the purpose of financing the schools. However, all the money derived from these sources was not to go to schools, but from these sources each legislature made an appropriation to supplement the budgets of the separate counties.

In 1929 the legislature appropriated an equalization fund of $6,500,000 and made it mandatory that each county levy and collect thirty cents on the hundred dollars valuation in addition to funds received from fines, forfeitures, penalties, etc., before it could participate in the equalization fund.

A statute enacted by the legislature in 1931 provided for an

Equalization Board; the appropriation was increased to $18,000,000; and the property levy was reduced to fifteen cents. The new Board revalued the property of the state for the purpose of equalizing valuation, and thereby equalizing the distribution of the fund.

In 1933 all state property taxes for schools were abolished by the legislature except a county levy for county and district debt service and capital outlay, and certain business taxes were enacted to provide a part of the revenue necessary for the operation of the schools for a term of eight months.

A STUDY OF PER CAPITA COST OF EDUCATION FROM 1914-15 TO 1935-36

Public education in North Carolina experienced a steady growth from the school term of 1914-15 to the school term of 1930-31, when the effects of the depression caused retrenchment in the work of all public institutions. Increased enrollments in the public schools, longer school terms, a program of consolidation of schools, transportation of children, and a general interest in education are some of the factors that attributed to the steady growth of schools and an increase in operation costs.

The following table, CURRENT EXPENSES,[1] gives the total current expenses, including state and local funds, in the operation of the public schools of North Carolina for each school term in this period, also the per capita expense for each pupil enrolled.

I. CURRENT EXPENSES

Year	*Total Current Expense*	*Per Pupil Current Expense*
1914-15	$ 4,215,178.28	$ 6.95
1915-16	4,571,534.18	7.04
1916-17	4,829,052.01	7.48
1917-18	5,247,616.13	8.27
1918-19	5,850,129.78	9.89
1919-20	9,568,743.10	13.84
1920-21	13,472,275.17	19.04
1921-22	15,530,808.50	20.61
1922-23	17,251,486.26	22.25
1923-24	19,078,656.87	24.06
1924-25	21,030,810.23	25.97
1925-26	22,822,833.65	27.88
1926-27	25,565,974.73	31.02
1927-28	26,580,686.40	31.32
1928-29	27,961,531.85	32.67
1929-30	28,616,603.44	33.01
1930-31	28,515,583.04	33.84
1931-32	24,049,617.16	27.78
1932-33	23,464,315.46	26.30

1933-34	18,296,363.78	20.43
1934-35	19,254,098.07	21.57
1935-36	23,351,432.38	26.27

"Following 1929-30 there was a decrease in costs of operating the schools. First a $100,000 and then in 1931-32 almost $4,450,000. Further decreases occurred until 1933-34 when the total cost of operating the schools, in spite of the increased need on account of increased numbers of children, had decreased to $18,296,363.78, a total decrease of more than $10,000,000 or thirty-six percent." [1]

It is interesting to note from Table I that the average expense per pupil increased from $6.95 in 1914-15 to $33.84 in 1930-31, the top year. After that date the cost of operating the public schools based on pupil enrollment decreased until in 1933-34 it stood at $20.43, approximately the same as it was in 1921-22. For 1934-35 the average expenditure per pupil increased slightly more than a dollar, and for 1935-36 the estimated average cost per pupil was approximately $26.00.

A PER CAPITA COST IN NORTH CAROLINA IN COMPARISON WITH THAT OF OTHER STATES AND U. S. AVERAGE

How does North Carolina rank among the forty-eight states in the cost per capita for education? The National Educational Association made a survey study of the per capita cost in 1936 for the school term of 1933-34 and published its findings in January 1937.[2] Space will not permit the inclusion of the figures for all of the states, but the figures of the five highest states, the five lowest, and the average for the United States are given in terms of expenditures per pupil enrolled and per pupil in average daily attendance.

TABLE II

EXPENDITURES FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS PER PUPIL ENROLLED BY STATES

1933-34[2]

State	*Expenditures* *Per Pupil Enrolled*	*Per Pupil Average Daily Attendance*
New York	$124.32	$141.76
Nevada	112.16	132.94
California	111.13	126.22
New Jersey	100.58	118.85
Delaware	95.12	110.02
Georgia	25.18	32.68
South Carolina	24.04	30.88

[1] *State School Facts* (November 1936).
[2] *National Education Research Bulletin* 15 No. 1 (Jan. 1937) p. 9.

North Carolina	25.19	29.81
Arkansas	19.86	26.13
Mississippi	18.93	25.41
Average for United States	64.76	76.22

The average for the five highest states was $108.66 per pupil enrolled and $125.96 per pupil in average daily attendance. The average for the five lowest states was $22.64 per pupil enrolled and $28.98 per pupil in average daily attendance. The average for the United States was $64.76 per capita enrolled and $76.22 per capita in average daily attendance.

Spending $25.19 per pupil enrolled and $29.81 per pupil in average daily attendance, North Carolina ranked forty-sixth among the states in the amount of money that it was spending per child in the public schools. The amount spent in North Carolina per pupil on the basis of enrollment was $39.57 less than the average for the United States, and the amount per pupil on the basis of average daily attendance was $46.41 less than the average for the United States.

When the legislature met in 1933 a further reduction in the appropriation for schools seemed necessary in order to maintain a state-wide eight months school program. The provisions of the school law effected these reductions in operating costs either directly or indirectly. They follow:[1]

1. The abolition of all property taxation, district, township, county, and city for school purposes.
2. The writing of a lower salary schedule for county superintendents.
3. The provision for a lower salary schedule for teachers and principals.
4. Discontinuance of the employment of rural supervisors.
5. The elimination for another two years of the salary increments accruing on the basis of a teacher's or principal's experience.
6. Increasing the teaching load in the high schools.
7. Authorization given State School Commission to take over the management and supervision of the transportation system.
8. Authority given the Commission to make a careful check of all school expenditures, and to exercise all economies possible in the operation of the schools.

Through a larger appropriation for 1935-36, $20,766,393, and approximately $22,000,000 for the term of 1936-37 the schools and their administrative boards were able to recoup some of their losses incurred during the depression. The teacher's salaries were increased twenty per cent for 1935-36 and an additional five percent for the term of 1936-37. The percent of increase in salaries for principals

[1] Report of Dr. A. T. Allen, former State Superintendent of Public Instruction.

and superintendents was not quite as high as for classroom teachers. However, the matter of salaries will be discussed in another section of this study.

CAN NORTH CAROLINA AFFORD TO SPEND MORE MONEY FOR PUBLIC EDUCATION?

Is the state financially able to spend more money for education? A study for 1934 recently published by the National Education Association would seem to indicate that the annual total income within the state would not only enable her to spend more for education but would justify it. The following table shows the estimated national income, expenditures for schools, and rank in effort for education of the five highest states, the five lowest and the average for the United States.

TABLE III

ESTIMATED NATIONAL INCOME AND SCHOOL EXPENDITURES [1]
1934

States	*Estimated National Income*	*Expenditures Elementary and Secondary Schools*	*Percent of Income for Education*	*Rank in Effort*
South Dakota	$155,539,400	$9,529,282	6.13	1
North Dakota	170,591,600	9,501,148	5.57	2
Utah	165,574,200	8,190,143	4.95	3
Nevada	45,156,600	2,174,333	4.82	4
Idaho	145,504,600	6,755,176	4.64	5
Average for U. S.	50,174,000,000	1,720,105,229	3.43	
North Carolina	767,662,200	22,556,788	2.94	37
Vermont	130,452,400	3,592,571	2.75	44
Connecticut	948,288,600	25,850,711	2.73	45
Maryland	792,749,200	21,435,182	2.70	46
Arkansas	336,165,800	9,068,811	2.70	47
Maine	346,200,600	8,830,930	2.55	48

On the basis of national income thirty-six states are putting forth more effort in public education than North Carolina. Since the amount of her income places her in the upper ten percent of the states, North Carolina would not have to increase her percent of income for education above the average for the United States, 3.43, to adequately finance her public schools.

A. J. Maxwell, Commissioner of Revenue, made a study, *Comparing Tax Loads*,[2] in North Carolina and other states. According to figures for the fiscal year ending June 30, 1935, showing a comparison of tax loads in property, franchise, and income taxes, North Carolina,

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[1] Research Bulletin National Education Association; Vol. 15 No. 1 (Jan. 1937).

[2] Bulletin of Revenue Dept. *Comparing Tax Loads*, A. J. Maxwell, N. C. Commissioner of Revenue.

having the lowest property tax, ranked forty-eighth. However, in the comparison of corporation franchise and income tax, she ranked second from the top. But the fact that there is a very low corporation property tax in North Carolina compensates for the high franchise and income rate.

THE FINANCIAL POWERS OF THE NORTH CAROLINA SCHOOL COMMISSION

The General Assembly of 1937 appropriated $23,796,367 for the state supported school term of 1937-38 and $24,986,160 for the term of 1938-39. The matter of budgeting these appropriations to the various items of school expense is left to the members of the School Commission, whose term and office were explained in Chapter I. The financial powers of the Commission are defined in the School Machinery Act, a legislative act of the 1937 legislature, which provides for the organization and set-up of the North Carolina public school system. Two types of administrative units are recognized, the county unit and the special charter districts ordinarily referred to as the city units. Each deals directly through its superintendent with the School Commission, and each receives a school term appropriation from the Commission for each item designated in the school budget as determined by the Commission. This money must be spent according to the schedule worked out by the School Commission.

From the School Machinery Act[1] the writer quotes sections, showing the financial powers of the Commission, as defined in the Act.

SECTION 3. "It shall be the duty of the commission, in accordance with the provisions of this Act, to administer funds for the operation of the schools of the state for one hundred sixty days on standards to be determined by said commission and within the total appropriation made available by the General Assembly."

SECTION 9. "The appropriation of state funds, as provided under the provisions of this Act, shall be used for meeting the costs of the operation of the public schools, as determined by the State School Commission, for the following items:

1. General Control:
   (a) Salaries of superintendents
   (b) Travel of superintendents
   (c) Salaries of clerical assistants of superintendents
   (d) Office expense of superintendents
   (e) Per diem county boards of education in the sum of one hundred dollars ($100.00) to each county
   (f) Audit of school funds
2. Instructional Service:
   (a) Salaries for white teachers, both elementary and high school

[1] School Machinery Act for 1937-38 and 1938-39.

(b) Salaries for colored teachers, both elementary and high school
(c) Salaries of white principals
(d) Salaries for colored principals
(e) Instructional supplies

3. Operation of Plant:
   (a) Wages of janitor
   (b) Fuel
   (c) Water, light and power
   (d) Janitor's supplies
   (e) Telephone expense

4. Auxiliary Agencies:
   a. Transportation—
      (1) Drivers, and contracts
      (2) Gas, oil, and grease
      (3) Mechanics
      (4) Parts, tires and tubes
      (5) Replacement busses
      (6) Compensation for injuries and/or death of school children as now provided by law
   b. Libraries
   c. Health

In allotting funds for the items of expenditures hereinbefore enumerated, provisions shall be made for a school term of only one hundred sixty days.

The State School Commission shall effect all economies possible in providing state funds for the objects of General Control, Operation of Plant, and Auxiliary Agencies, and after such action shall have authority to increase or decrease on a uniform percentage basis the salary schedule of teachers, principals, and superintendents in order that the appropriation of state funds for the public schools may insure their operation for the length of term provided in this Act." [1]

For the items listed in SECTION 9 of the Machinery Act the power and authority to make a budget for each fiscal year is designated to the State School Commission in SECTION 10 of the Act. "The state budget estimate shall be determined by the State School Commission for each county and city administrative unit by ascertaining the sum of the objects of expenditure according to and within the limits fixed by this Act, and within the meaning of the rules and regulations promulgated by the State School Commission." [1]

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[1] School Machinery Act for 1937-38 and 1938-39.

THE FINANCIAL OBLIGATIONS OF THE COUNTY AND CITY BOARDS OF EDUCATION

Maintenance of school plants, including all repairs, painting the buildings, and replacements, also capital outlay including the building of additional units, erecting new buildings, school furniture, and buying additional busses are the obligations of the local tax levying agencies, and the local administrative units. With the exception of a few of the largest city units in North Carolina which have within the unit a tax levying board authorized to levy taxes for schools, the budget of the board of education, city or county, is approved by the county commissioners, who levy the taxes. Ordinarily the board of education makes its budget during the month of June for the next fiscal year and submits it to the board of commissioners the first Monday in July.

The revenue derived from the following sources is designated by law for school purposes: fines, forfeitures, penalties, dog taxes, and poll taxes. If these sources do not furnish a sufficient amount, the county commissioners are empowered to levy a property tax for schools.

A SPECIAL ELECTION TO VOTE A SUPPLEMENT FOR SCHOOLS

What procedure must an administrative school unit follow in calling an election to vote a supplement? A supplement means additional funds for the purpose of operating schools of a higher standard than that provided by state support. In the first place no district or part of an administrative unit can vote a supplement under the law. It must be the whole unit, and a new registration is necessary for that particular election. The board of trustees of a city administrative unit desiring to call a school election must get the approval of the county board of education, the tax levying authorities in said city unit, and the State School Commission before the election can be held. The same procedure is necessary to call an election in a county administrative unit. For the sake of clarity the following is quoted from the School Machinery Act[1] (1937) Section 14. "The County Board of Education in any county administrative unit and the school governing board in any city administrative unit, with the approval of the tax levying authorities in said county or city administrative unit, and the State School Commission may supplement the funds from state or county allotments: Provided, that before making any levy for supplement, an election shall be held in said administrative unit to determine whether there shall be levied a tax to provide said supplemental funds, and to determine the maximum rate which may be levied therefor."

When the election is held those who are registered and do not vote are counted against the election as well as those who actually go to the polls and cast their vote against the supplement. This naturally

[1] N. C. School Machinery Act (1937) Sect. 14.

works a hardship on the proponents to supplement the school budget. Two county units, Scotland and New Hanover, have voted a supplement and will have a nine months term in 1937-38.

Since 1933 thirty, approximately half of the city units, have successfully voted on a supplementary tax, ranging in rate from ten cents to fifty cents on the hundred dollars property valuation, and within the next school year many more will vote a supplement.

The supplementary funds are used, generally, to extend the term to nine months, to employ a few additional teachers, and, in some instances, to provide salary supplements.[1] The total number of city administrative units is 69. There are a hundred county units and when added to the city units makes a total of 169 administrative units in the State.

Questions for Discussion

1. Should state aid to education mean state control of schools?
2. What are the limitations of the expression, "an eight months state-supported school term"?
3. To what extent has state control of schools affected local initiative in your administrative unit?
4. Are the state minimum standards for education the maximum standards in your community?
5. What projects in the school has your organization financed?
6. What are the possibilities of voting a school supplement in your administrative unit?

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3. "Report of N. C. State School Commission" (Scholastic Years 1935-36 and 1936-37).
   "A detailed report of the functions and duties of the School Commission. The allotment of funds and teachers to each administrative unit."
4. "The North Carolina School Machinery Act" 1937-38 and 1938-39 (State Department of Education).
   "(1) School Appropriation. (2) Administrative and financial set-up for a state-supported school term."

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[1] Report of State School Commission for 1936-37.

CHAPTER III

WHAT WE ARE TEACHING

by
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There has always been and will continue to be much controversy as to what constitute the "essentials" of education, and just how these essentials should be taught. The method of teaching and the subject matter which suit this generation may not be well-adapted to the needs of the next generation. The public's perspective of education is becoming broader. Because of the social change of point of view and our present economic setup, we must fit our needs to the pupil. A former belief was that no one could be educated without having studied the classics. Consequently, we find a thorough study of Latin and Greek being made in the early grammar schools and high schools. One of the most decided tendencies in curriculum building is that of adapting the curriculum to the needs, interests, and capacities of the pupils. It is expressed in such a slogan as the following: "Adapt the curriculum to the child instead of trying to adapt the child to the curriculum!"

The occasional pointing out of a weakness in our system should not be regarded as hostile criticism. People associated with the school should realize that whereas education proposes to fit people to our changing social conditions, the work of our schools must be in a state of continuous change, keeping in step with the demands of our social conditions. It is our intention to submit a disinterested view of what is being taught at present and what is needed for further growth.

The Seven Cardinal Principles of education are accepted as general aims of education. These objectives were proposed in 1918 by the Commission on the Reorganization of Secondary Education. The Journal of National Education has simplified these objectives, stating that: "The school seeks to prepare every child, regardless of race or condition, to achieve for himself: (1) A sound mind in a strong and healthy body. (2) A home life that is happy, unselfish and democratic. (3) The ability to read and write, to think, study and act intelligently. (4) An informed citizen dedicated to the common good. (5) The knowledge and skill needed to earn a good living. (6) The use of free time for worthy activities and pleasures. (7) Fine spiritual character that is trusted and admired."

We are fully aware that the third objective is the one which receives the most stress. There are some who would expect the attainment of the other objectives to develop or grow out of the ability to read, write, think, study and act intelligently. To be sure, there will be an overlapping, but it is our opinion that state authorities should attempt to have all of the objectives stressed as much as possible.

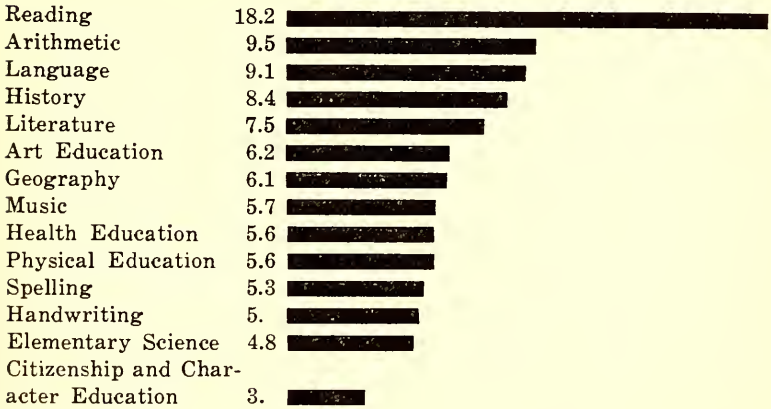
An interesting study in which a check was made on the high school curriculum to see how the various subjects contributed to the

attainment of the seven cardinal principles is reported in the Junior-Senior Clearing House.[1] The scores and the order of importance of subjects in achieving the proposed objectives are: (1) English, 17, (2) Music, 15, (3) Physical Education, 14, (4) Home-making, 13, (5) Art, 11.5, (6) History, 10, (7) Science, 7, (8) Mathematics, 6, (9) Language, 5.

Subjects	*Minutes Per Week*						
Grades:	1	2	3	4	5	6	7
Language Arts							
Reading	400	385	285	176	140	165	165
Literature	75	80	90	100	100	165	165
Language	100	110	125	150	175	175	175
Spelling	50	75	75	75	75	75	75
Handwriting	75	75	75	75	60	60	50
Arithmetic	50	75	125	150	150	150	200
Social Studies							
Geography	—	—	—	120	130	145	180
History	90	105	108	100	120	130	175
Citizenship and Character Education	—	—	—	60	60	75	75
Elementary Science	—	—	—	90	105	120	140
Health Education	75	75	75	75	75	75	75
Physical Education	75	75	75	75	75	75	75
Are Education	90	90	90	80	80	80	80
Music	75	75	75	80	80	80	80

(Copied from page 21 of "A Study in Curriculum Problems of the North Carolina Public Schools," Publication No. 189, 1935.)

PER CENT OF TIME ALLOTTED TO EACH ELEMENTARY SCHOOL SUBJECT IN GRADES 1-7



[1] Siebold, Richard: "A New Deal for the Curriculum." Junior-Senior High School Clearing House, Vol. IX, No. 2, pp. 68-71.

In the first of the charts we have a schedule of the subjects taught in the elementary school and the number of minutes suggested for each. The teacher always has a daily schedule which is based on this general schedule. A number of teachers do not feel obligated to follow it exactly but prefer to vary it according to what appears to be the weakness of the grade which they are teaching. It should be kept in mind that more time is required to teach certain subjects as opposed to others.

LANGUAGE ARTS

On the basis of our second chart, we can readily see that the percentage of time allotted to reading in grades 1-7 is 18.2 per cent of the total time used for instruction. This is practically double the time of the next subject. Many authorities are of the opinion that more time should be given to reading. It is our contention that there would be fewer failures in college and high school if the pupil was taught to read for mastery of thought rather than the study of construction. Reading should therefore be more extensive rather than intensive. The State is doing a fine service in helping to bring this about. Any public school can now have a number of sets of supplementary readers by having the students pay a small rental fee. Thus it is to the advantage of the elementary pupil to gain life-long reading habits by exploring such a variety of books.

In teaching language in the elementary school the teacher has a fourfold purpose: (1) to train pupils to speak orally, (2) to interpret oral speech, (3) to write clear thoughts, (4) to interpret written thoughts. Language should be taught according to the needs of the pupil.

English is required for each year of the high school curriculum. The pupil continues the study of grammar, composition, and literature. The English teacher tries to train her students in correct oral and written expression and to draw conclusions by means of clear and logical thinking. The students are encouraged to read good books and an attempt is made to bring about good reading habits.

The English Department of the University of North Carolina recently conducted an examination of a group of college students in the junior and senior classes. The results of the tests showed that the number of students whose ability in English composition barely equalled that of the tenth and twelfth grade high school level was unusually large. We can readily see that the reading of advanced textbooks would be difficult for these students. School authorities are becoming aware of the pupils' weakness in composition and reading and are striving to remedy this defect.

Mr. Ernest Horn's investigation shows us that 3,000 most frequently used words comprise 97.66 per cent of the total number used by adults and children in speech and composition. In spelling, the children are taught the most useful words. The teacher attempts to

develop in the pupil a habit of alertness in spelling as he does written work in composition. When children memorize word-lists, they soon forget them. Schools are often criticized for teaching specific words rather than promoting a fundamental training in connection with composition, letter-writing, etc. A check on spelling should continue through high school and high school teachers should make pupils "spelling-conscious" by refusing papers with a large number of misspelled words.

About five per cent of a child's daily work time is supposed to be given over to handwriting. This is a fundamental subject and no substitute has ever been found for it. Authorities tell us that writing is not an instinct but that it is a growing process depending upon interest. The schools use as guides the state adopted Zaner and Palmer Writing Books.

The number of pupils enrolled in the various high school subjects in the North Carolina state schools may be noted in the following chart. Since four years of English is required for graduation from our high schools, all students take this course. The figures for the chart were derived from the High School Principal's annual reports.

NUMBER OF PUPILS PURSUING THE DIFFERENT SUBJECTS IN PUBLIC HIGH SCHOOLS, 1935-36

Subject	*Enrollment*
English [1]	
First Year	59,799
Second Year	45,183
Third Year	34,993
Fourth Year	27,267
Twelfth Grade	704
Public Speaking	141
Journalism	68
Dramatics	147
Spelling	258
Mathematics	
Arithmetic	33,450
General Mathematics	5,500
Algebra, Beginning	50,615
Algebra, Second Year	35,987
Algebra, Advanced	2,656
Plane Geometry	19,405
Solid Geometry	455
Trigonometry	295

Subject	*Enrollment*
Social Studies	
Geography	15,250
Citizenship or Civics	47,149
World History	25,518
United States History	29,209
Ancient History	3,031
Sociology	15,767
Economics	16,051
North Carolina History	150
Problems in Democracy	1,490
Advanced Civics & Govt.	147
Character Education	16
Guidance	18
Modern History	1,948
Negro History	300
Foreign Language	
Latin I	8,818
Latin II	6,825
Latin III	259

[1] Note: Since nearly all the pupils study English the total enrollment is used for each grade in this subject. Above reported by the principals to the North Carolina State Dept. of Public Instruction.

Latin IV	259
French I	22,673
French II	16,091
Spanish I	426
Spanish II	229
German I	70
German II	48
Art	973
Art Appreciation	101
Science	
General Science	37,537
Biology	36,357
Chemistry	6,102
Physics	9,651
Health	628
Other Sciences	55
Business Education	
Bookkeeping I	2,682
Bookkeeping II	551
Stenography I	2,803
Stenography II	871
Typewriting I	5,838
Typewriting II	1,961
Junior Business Tr.	2,616
Business Arithmetic	4,462
Business English	172
Office and Secretarial Practice	145
Business Law	470
Salesmanship	335
Penmanship	79
Agriculture I	6,015
Agriculture II	4,250
Agriculture III and IV	3,124
Home Economics I	17,732
Home Economics II	12,752
Home Economics III-IV	700
Textile Fabrics	6
Interior Decorating	45
Industrial Arts	2,727
Automobile Shop	21
Machine Shop	85
Electricity	21
Machine Drawing	23
Printing	30
Metal Work	82
Carpentry	43
Brick Laying	25
Bible	927
Library Instruction	879
Psychology	16
Physical Education	3,548
Music	
Glee Club, Chorus, etc.	387
Band and Orchestra	421

MATHEMATICS

Arithmetic is the second most important subject on the basis of time allotted to it in the elementary school. It consumes 9.5 per cent of the total. The content of mathematics courses should be based on human needs. There should be no discussion over the fact that every one should be trained in the fundamental operations of arithmetic. The present course of study stays with fundamentals and dispenses with matters of little practical value. It emphasizes speed, confidence, and accuracy by using a great variety of systematic drill. An advance is made from the simple to the complex. It is our suggestion that an increased effectiveness could be attained if more printed exercise materials were used.

Arithmetical study generally includes the following: general mathematics, elementary algebra, advanced algebra, geometry, and trigonometry. Some schools also offer general business training and

commercial arithmetic. Many educators doubt the advisability of a large number of boys and girls taking advanced mathematics. We contend that everyone should have a good command of the fundamental processes of mathematics but take exception to the statement of some authorities when they say that mathematics can be supported by all seven cardinal principles of education.

SOCIAL STUDIES

The social studies, geography, history, citizenship and character education are adequately stressed in the elementary school. History occupies 8.4 per cent of the student's time, geography 6.1 per cent, and citizenship and character 3 per cent. The last named is the smallest allotment assigned to any one subject. History is taught to develop clear thinking and investigation as well as to show the progress of civilization. Since social studies furnish a method for social analysis, one is better able to get an understanding of our social, political, economic, and industrial problems.

The lack of supplementary materials often hinders the teaching of social sciences. The classes in these subjects should have up-to-date maps, globes, charts, reference books, current event papers, and magazines. The local Parent-Teacher associations often aid schools in securing additional instructional materials which aid the teacher in presenting a better balanced program.

SCIENCE AND HEALTH

Many of the elementary pupils never get to high school to take general science but get some rudiments of science in the lower grades. During this period of a child's life, he is curious about his surroundings and the natural sciences supply him with much information. Many teachers make an effective use of field trips and clubs to create and maintain interest. In practically all of our high schools, we find a large number of pupils engaged in a study of general science and biology; a smaller number take chemistry and physics.

The school program indicates that 5.6 per cent of the time, or about fifteen minutes daily, should be devoted to health education in the first seven grades. Very often, if we were to visit the school at the time assigned for health instruction, we would find the teacher is presenting a "tool subject." County nurses and doctors are assisting in creating a better health program. Teachers are also becoming more health-conscious and improving the content of their teaching. A course in alcoholism and narcotics is required to be taught in the sixth grade. Home economics and social studies are also concerned with the health program.

In only a few of our larger schools which vote a special tax, do we find a physical education director. The course of study recommends 5.6 per cent of the pupil's time or fifteen minutes daily for the elementary school and even more for the high school. When no special instructor is employed, the home-room teacher usually teaches her

grade certain games and stunts. In practically all of the high schools, we find some interscholastic athletics, especially baseball and basketball. Since the interscholastic program benefits a small per cent of the student body, it would be more beneficial to work out an extensive intra-mural program.

FINE ARTS

Art education is supposed to receive 6.2 per cent of the student's time in the elementary school. All home-room teachers are art teachers but not necessarily good ones. The state course of study recommends that at least one well-qualified art teacher be employed to guide the others.

Music which has been called "the language of emotions" and the "universal language" is given fifteen to sixteen minutes daily. During the depression, the public school music teachers were taken off the state payroll and most schools had to dispense with the services of this invaluable instructor. Only a small per cent of class-room teachers are capable of giving good instruction in music. A number of schools are securing public school music teachers by means of local supplements.

It is our observation that a number of the subjects which used to be called "fads" are beginning to be considered as essentials. People who think that the three R's are sufficient for training students are living in the past. The school cannot aspire to meet the objectives of education without furnishing well-balanced programs in music, art, physical education and health. In order to give the pupil the proper training in these fields, we have to have men and women who are trained to carry on this work. As has been already suggested, these subjects have an important carry-over and figure very prominently in developing character and citizenship.

Practically all of our schools have at least one foreign language. French seems to be the most popular by far. The enrollment in Latin is about one-third that of French. A few schools offer German and Spanish.

VOCATIONAL EDUCATION

It is with some pleasure that we observe the growth of vocational education. Every rural school should have well-equipped home economics and agricultural departments. Business training, industrial arts, and home economics should be in the curriculum of every town and city system. This idea is meeting with the favor of the public and in the future, we predict a greater development along this line.

Statistics show that of the 25,000 graduates turned out by North Carolina high schools, only ten per cent ever complete the four year college course. Our schools are gradually breaking away from the idea of trying to give the student certain "credits" so that he will be able to attend college. In the future, we will have a more vocational type of education which will give the high school student more con-

fidence and ability to engage in some worthwhile industry. When the schools reach that level they will be performing their greatest service to mankind. They will then be better shaping the life of the state's greatest investment, the child, who is to direct the destiny of our civilization.

Questions for Discussion

1. What subjects receive the most stress in your local elementary school and high school?
2. What reasons can you offer for thinking that your school should have a physical education director, a public school music teacher, a trained librarian, and an art teacher?
3. What are your reasons for permitting your boy or girl to select certain elective courses in the high school?
4. What percentage of the students in the first grade graduate from high school? What per cent attend college?
5. Discuss the value of vocational training, industrial training, and business training in the high school.
6. Discuss the courses which you think have the most carry-over in developing good citizens and good character.
7. What do you expect the public school to do for your child?
8. Discuss the advantages of a nine-month school term as opposed to an eight-month term.
9. How can your local P. T. A. aid in improving what is being taught in your local school?

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CHAPTER IV

NORTH CAROLINA TEACHERS

by
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Education has traveled a long way from the day of the teacher who enforced discipline and heard lessons to the day of the teacher who directs the educational development of pupils according to their needs and abilities. In those early days the chief characteristic required of a teacher was the ability to enforce one's will upon the pupils. The ability to read the text book, to see that the pupils gave the correct answers to questions, was another, though secondary, characteristic demanded of the teacher.

Today education is more than learning and reciting answers. Facts are learned for some use and an attempt is made to apply them. Personalities are being developed. The characteristics of cooperation and good citizenship are among the aims of education. The development of wholesome attitudes and appreciations are goals. Physical well-being and the ability to maintain one's self economically are among other aims. Each child is a different person from the others. To be a teacher today means much more than formerly. A knowledge of the laws of physical, mental and moral development are necessary. A knowledge of the world about one and its relation to the child is necessary in order to see the relationship of the curriculum and the pupil. There must be a clear conception of the aims and objectives of education in order to direct the experiences of pupils in the right direction.

The teacher of today must, therefore, have much more than the answers to the questions in the books. Teaching is becoming more and more a technical profession calling for special training. Our state has recognized this fact and has set up standards of preparation on increasingly higher levels for those entering the ranks of teachers. From the inauguration of state certification in 1917 until today there has been a steady increase in the level of preparation of teachers.

In the school year 1921-22 considerably more than half of our white teachers had less than one year of college work. In 1935-36 there was only a small fraction of one per cent with less than a year of college training. In 1921-22 less than one out of six white teachers had four years of college training. In 1935-36 nearly four out of six white teachers had completed four years of college work. The rate of improvement in the training of negro teachers has been equally remarkable. In the same period the number of negro teachers with less than a year of college decreased from about nine out of ten to less than one out of ten. The number of negro teachers with four years of college work increased from about one out of forty to about twelve out of forty. Many teachers have gone on to do graduate work and earn the master's degree. Table I gives data regarding the increase in the training of teachers.

TABLE I

TRAINING OF TEACHERS IN N. C.

School year	No. yrs. in high school			No. yrs. in college				Total
	2	3	4	1	2	3	4	
White Teachers and Principals								
1921-22	1,504	1,383	5,523	887	2,659	888	2,410	15,254
1925-26	265	767	4,548	2,170	2,776	2,610	4,196	17,332
1931-32	35	19	385	1,885	2,318	3,938	8,478	17,058
1935-36	——	38	65	403	1,242	4,222	11,387	17,363
Colored Teachers and Principals								
1921-22	1,565	739	1,510	68	519	38	113	4,554
1925-26	817	1,267	1,682	556	595	437	215	5,569
1931-32	391	424	660	1,246	815	1,583	1,003	6,122
1935-36	——	430	108	647	1,156	2,504	1,945	6,790

From: State School Facts, December 1936, State Department of Instruction, Raleigh, N. C.

TABLE II

SUMMER SCHOOL ATTENDANCE OF NORTH CAROLINA TEACHERS

Year	White	Colored
1920	5,054	2,390
1925	9,521	4,312
1926	9,875	4,252
1927	10,476	3,938
1928	9,754	4,058
1929	7,691	2,922
1930	7,972	2,815
1931	6,486	2,206
1932	5,556	2,034
1933	4,338	1,424
1934	4,002	2,834

From: Biennial Report, State Superintendent of Public Instruction, 1932-33, 1933-34.

TABLE III

EXTENSION COURSES TAKEN BY NORTH CAROLINA TEACHERS

Year	White	Colored
1921-22	129	9
1924-25	2,552	525
1925-26	2,420	968
1926-27	2,992	1,280
1927-28	3,695	1,349
1928-29	3,694	1,489
1929-30	4,532	1,447
1930-31	5,064	1,848
1931-32	3,193	1,525
1932-33	2,942	2,728
1933-34	3,038	2,843

From: Biennial Report of State Superintendent of Public Instruction, Raleigh, N. C., 1932-33, 1933-34.

This increase in the training of teachers has not been due entirely to changes in the personnel. Teachers have flocked to the summer schools and have registered for extension classes and for correspondence work. The extent to which they have tried to improve their training is apparent in Tables II and III.

The teachers of North Carolina suffered a tremendous blow when the state took over the larger part of the operation of schools in 1933. Salaries were reduced to such a low level that a teacher who had spent four years in college and who had been a successful teacher for several years could receive only $720 per year. This meant that the very highest paid teacher in this state had less than $13.85 per week upon which to live through the year. The majority of the teachers received much less than this amount.

In 1935-36 the average annual salaries for all white teachers in the state was $761.52 according to the biennial report of the State Superintendent of Public Instruction. The average teacher during that year was forced to live on less than $14.65 per week. According to the Monthly Labor Review of the United States Bureau of Statistics for October 1935 the average weekly income of workers in the textile industries was $15.07 per week for July 1935. This was more than the teachers of North Carolina were able to live upon. The average weekly income for workers in the cotton goods section was $12.29 per week during the same period. Since a large portion of these workers were in North Carolina these figures are comparable with those of teachers in the state. With the years of academic training and the necessary expense for summer school, professional literature, and a large wardrobe of suitable clothing for school wear, teachers were forced to a standard of living as low, if not lower, than that of cotton mill workers—many of whom were illiterate and unskilled. Salaries of teachers have advanced some since then, but so have the earnings of other workers. In addition it must be remembered that at the present time there is no provision for the care of teachers when they grow old and are unable to earn their living whereas the textile workers are protected under the recently enacted social security law.

How much should a teacher be paid? It is reasonable to believe that one thousand dollars per year will attract better teachers than five hundred dollars per year and that fifteen hundred dollars per year will attract even better teachers. In 1933-34 North Carolina paid her teachers an average salary of $498 with the white teachers averaging $550. During that same time many other states were paying much higher salaries for an eight or nine months term. Among the states paying higher salaries were:

Massachusetts	$1,838	Utah	$ 950
Rhode Island	1,680	Florida	800
Connecticut	1,580	Vermont	797
Delaware	1,413	Texas	722
Indiana	1,100	Oklahoma	630
Illinois	1,000	Virginia	601
Michigan	994	Alabama	520

These do not represent all the states paying more than North Carolina. They are only representative of what most of the other states are paying. While living costs in North Carolina may be less than in some of the other states it is extremely doubtful if the difference is as great as indicated by the salaries paid. If figures collected by various bureaus of the federal government are reliable the difference in living costs are only slight.

In answer to the question of what is an adequate salary for a teacher a recent bulletin of the National Education Association says that "A successful teacher can never be paid all he is worth either to the individual child or to society. Yet few would deny that every teaching position should pay enough—

1. To attract young persons of the highest personal and professional qualifications.
2. To hold in teaching those who, beginning with first-class qualities, continue to improve themselves through experience, travel and further study.
3. To permit those who remain in teaching to live with the material and cultural surroundings commensurate with their responsibilities to youth and to the state.
4. To provide savings whereby those incapacitated by age or disability may retire in decency, making way for a new generation of teachers."

A teacher has little free time for her own social activities. She must devote many hours out of school to planning her work, to checking over the work of her pupils, in puzzling out what should be done with pupils who are special problems, in keeping abreast with professional developments, and in attending professional meetings and busying herself with out-of-school activities sponsored by the school. She is frequently called upon to take an active part in the Sunday School or Church. Not only are teachers expected to perform many special duties outside of the school, but in some cases they are prohibited from enjoying some activities which are not denied to other respectable members of the community.

Under a law passed by the legislature in the spring of 1937 the selection of teachers is legally placed in the hands of the principal who nominates candidates for election by the local committee subject to the approval of the county board of education and the superintendent. This procedure of having professionally trained people select teachers subject to the approval of lay-boards is advocated by most educators and is considered as an advanced way of selecting better teachers.

In addition to training and experience, there are other factors which have been considered in the selection of teachers. According to a study by J. S. Fleming reported in the High School Journal of Oct. 1932 only fifty-five percent of the special chartered districts would employ inexperienced teachers in the high schools and only

sixty-three per cent of them would employ inexperienced teachers in the elementary schools. Nearly all the counties would employ inexperienced teachers. About half of the special chartered districts and about a fourth of the counties have a policy about employing married women as teachers. Some of the counties continue to reemploy them after marriage. About the same number of counties and special chartered districts give preference to home talent. A few counties and chartered districts have maximum ages for employing teachers for the first time, ranging from thirty-six to sixty. About a sixth of the counties and a third of the special chartered districts consider church membership while about a tenth of the counties and a fourth of the special chartered districts have policies against the employment of Catholics (at the time of the study).

At the present time teacher employment is similar to the game of "fruit-basket." Once every year the signal comparable to "fruit basket change" is given and there is a mad scramble to rearrange teachers in some of the schools of the state. Some teachers feel that a change is expected. Some communities feel that there is a limit to the time a teacher should remain in a school. Such an idea is practically unknown in other lines of endeavor. Under such a procedure teachers tend to remain in a position such a short time that they never fully become a member of the community and are looked upon as strangers and outsiders. Since failure to reemploy is easier than outright dismissal teachers are sometimes released for trivial reasons that would have been overlooked under a system of continuous employment. The system provides an easy way to eliminate undesirable teachers although it often results in unfair dismissals.

Most educators recognize the large turnover in teachers as a serious handicap to the educational program. To offset this some states and a number of cities and counties have adopted a law which enables a teacher to hold her position indefinitely after giving satisfactory service for several years, usually about three. Once a teacher has proven herself to be a capable teacher during that period of probation she can be dismissed only for just cause and only after a hearing of the case. Such security of position relieves teachers of much worry about whether some matter, often unrelated to teaching, will deprive her of her position at the end of the school year. Worried teachers do not do their best work.

North Carolina is one of the states which has made no provision for retiring her teachers on an income. Because salaries are low teachers are unable to provide for retirement and therefore attempt to teach long after their efficiency as teachers has declined to an undesirable point and after their physical stamina has reached the place where they deserve rest. The school officials, now, have only the alternative of continuing to employ these teachers who have served the state through their best days and who have passed the period of efficiency or to dismiss them and let them be cared for by friends and charity.

Several plans of retirement benefits have been tried with varying success. It is generally agreed that a retirement system should be based upon some sound actuarial calculation and that both the teacher and the employing agency should contribute equal amounts toward the fund. Certain withdrawals of payments would be permitted teachers who left the system. Retirement is usually permitted after twenty or thirty years of service beginning at ages ranging usually above fifty. The amount received by the teacher varies with the locality and with the earnings of the teacher. The amount should be large enough to provide an adequate standard of living for one of that standing in the community.

North Carolina has recruited and trained a teaching staff that compares favorably with those of other states and which is superior to that of many of her neighboring states. However, she is in danger of losing them because of inadequate salaries, through lack of tenure and security of position, and on account of failure to provide for proper retirement. Good teachers naturally drift toward those places where these desirable conditions exist.

Questions for Discussion

1. How have the duties and responsibilities of teachers changed since you were a pupil?
2. How does the need for training and continuous study by teachers compare with these requirements of other members of the community?
3. How does the teacher compare in importance with the buildings, the busses, and other people or things related to school operation?
4. What should be the social and economic standing of a teacher in a community?
5. What should enter into the determination of a teacher's salary?
6. Should the life of a teacher be restricted more than other respectable members of the community so long as she is adequately performing her duties as a teacher?
7. What is the relative importance of marriage, residence, church membership, social activities, and teaching efficiency in choosing and retaining teachers?
8. What are the advantages and disadvantages of placing teachers on indefinite tenure after a period of probation?
9. Why shouldn't teachers be included with other state employees in the retirement benefit plan?
10. What should North Carolina expect of her teachers and what should her teachers expect in return?

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CHAPTER V

EXTRA-CURRICULAR ACTIVITIES

by
J. EDGAR MORRIS
Boys Technical High School
Atlanta, Georgia

Dr. Thomas H. Briggs in his book *The Junior High School* gives us an exceptionally good statement of the aim of education. "The first duty of education is to teach people to do better the desirable things that they are going to do anyway, and to reveal higher types of activities and to make them both desired and to an extent possible." Today we must prepare citizens for intelligent participation in a democracy. This is true because regardless of what field of activity a person may enter in adult life he will be a citizen in his community, and should be interested and actively concerned with many phases of community life.

Since it is almost universally agreed that we learn by doing it is reasonable to suppose that the best method of preparing a citizen for participation in a democracy would be for him to experience democratic participation in a school organized as a junior democracy, in which he will be taught to cooperate and to be increasingly self-directive.

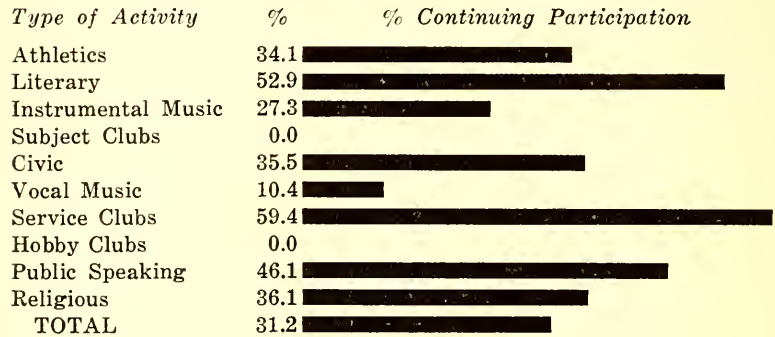
The formal curriculum is too often handled in such a way that the pupil is a part of an autocratic rather than a democratic system. Extra-curricular activities should first of all provide for democratic participation, in one or more activities, on the part of all the students. This will necessitate a most careful program of pupil guidance in the selection of his activities, stimulation to participate, and restrictions on the number in which one pupil may participate.

With the present set-up in North Carolina high schools each teacher is expected to carry a full teaching load and then supervise at least one extra-curricular activity. Many teachers are called upon to direct the activities of clubs when they are not familiar with the aims and outcomes that should be kept in mind in planning and supervising the meetings. The school must have a constructive program if the student is to realize the greatest benefit from participation as a citizen of a democratic school. This will necessitate teachers trained in the basic principles of extra-curricular activities so that she will sponsor and advise, but not dominate the activity. These activities offer most excellent opportunities for practice in citizenship, social relationships, desirable habits, and working together for the common good of all; however it must be kept in mind that this can be fully realized only when the students are stimulated to carry-on of their own accord.

Graph one shows the percentage of carry-over of participation in extra-curricular activities from high school to adult life. These figures were obtained from questionnaires returned by 529 alumni

of various high schools who had entered various professional and business fields. The highest percentage of carry-over was indicated in the field of literary clubs. A comparison between the schools of N. C. and those covered in the National Survey of Secondary Education (as shown in graph 3) shows that the high schools of North Carolina lead, on a percentage basis, the schools of the nation in literary activities.

GRAPH 1. THE PERCENTAGE OF CARRY-OVER OF SPECIFIC ACTIVITIES FROM SECONDARY SCHOOLS TO ADULT LIFE [1]



Referring back to graph one it is noted that subject clubs apparently do not have a carry-over. It is generally agreed that if the subjects are presented properly there is little need for a subject club.

Hobby clubs should certainly point the way for developing worthwhile methods of using leisure time. Graph one shows that the alumni answering the questionnaire indicate absolutely no carry-over from hobby clubs to adult life. It is believed that if these clubs are properly supervised there will be a very high carry-over in these clubs.

Service clubs seem to have the highest percentage of carry-over from secondary school to adult life. When we refer to graph 3 we find that the high schools of North Carolina are far below the average of the nation in the percentage of schools that have one or more service clubs. If this type of club offers the greatest possibility for developing desirable traits that will carry-over into adult life it would seem that something should be done with a view toward getting more of our schools to offer the pupils a chance to participate in at least one club of this nature.

Graph 2 also shows that the schools of North Carolina are ahead of those of the nation in the percentage of schools providing a chance for pupil participation in publications, and in public speak-

[1] Adapted from Figure No. 20, page 155; Bulletin 1932, No. 17—Monograph No. 26—National Survey of Secondary Schools—U. S. Department of the Interior, Office of Education.

ing clubs. This is most interesting in view of the fact that public speaking is a most desirable and valuable asset to any person and has a high carry-over value.

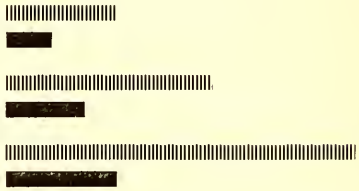
GRAPH 2. THE PERCENTAGE OF SCHOOLS REPORTING ONE OR MORE CLUB IN EACH ACTIVITY GROUP

Activity Group	*Schools*	*Percentage*
1. Student Government Service & Honorary	U.S.	22.4
	N.C.	8.5
2. Social & Moral Leadership and Guidance	U.S.	29.0
	N.C.	13.3
3. Subject Clubs	U.S.	81.9
	N.C.	8.0
4. Publications	U.S.	14.5
	N.C.	26.4
5. Dramatic, Literary and Forensic	U.S.	25.1
	N.C.	41.1
6. Musical Clubs	U.S.	29.0
	N.C.	10.0
7. Special Interest Clubs	U.S.	79.2
	N.C.	36.0

Since subject clubs apparently have no carry-over value it is interesting to note that of the schools covered by the national survey of Secondary Education 81.9% had one or more subject clubs, while in North Carolina only 8% of the schools have subject clubs. If this type of club has no positive value in preparing a pupil for living in a democracy it should be supplanted by clubs that do have a positive carry-over value. Interviews with several school administrators give support to the theory that in the majority of cases where subject clubs are still sponsored it is due to the fact that the teacher feels she must be connected with some outside activity in order to be re-elected, and not being qualified to organize and direct one of the more worth-while clubs she therefore supervises a subject club in her own field because it requires a minimum of time.

When we consider the number of activities sponsored by schools of the different enrollment groups we find that the schools of North Carolina are considerably below those of the nation. In our smaller schools the median number of activities in North Carolina is 3 while in the nation it is 7. This means that our smaller schools offer less than half the number of activities that similar schools throughout the nation offer for student participation. This difference is most apparent in our larger schools where we find the schools of North Carolina offering less than one-third the number of activities that

GRAPH 3. MEDIAN NUMBER OF ACTIVITIES SPONSORED BY SCHOOLS OF DIFFERENT SIZES IN N.C. AND IN THE U.S.



are found in schools of similar enrollment groups. It would seem that our larger schools would have a faculty more capable of leadership in many activities, yet we find the greatest differences in these schools.

The National Survey of Secondary Education revealed that an average of 60.9% of the pupils in the secondary schools throughout the nation participated in one or more activities. In North Carolina we find only 38.6% of the pupils in our high schools participating in one or more activities. Since these extra-curricular activities, when properly organized and supervised, offer an ideal place for training in citizenship it would seem desirable to have more than 38.6% of our pupils participating in this program.

Note: The materials contained herein regarding North Carolina Schools were obtained from the Principal's Annual Report to the State Superintendent of Public Instruction for the year 1935-36; comparative materials concerning schools throughout the nation were obtained from Bulletin, 1932, No. 17 Monograph no. 26—National Survey of Secondary Education—United States Department of the Interior; Office of Education.

While this study has dealt with the extra-curricular activities on the high school level, the philosophy underlying these activities is equally applicable to elementary school work. Most of our elementary schools have their curriculum so organized and conducted that it is largely an activity program. Since this is true they are already more nearly democratizing their schools and therefore do not have such a felt need for a program of activities. Pupils in the upper grades of the elementary schools would, however, gain much from participation in a properly directed program of extra-curricular activities so organized and carried on that it will afford democratic practices for those who participate.

Questions for Discussion

1. What extra-curricular activities are offered in our school?
2. What additional extra-curricular activities could profitably e added to those now offered in our school?
3. How may the program of extra-curricular activities best be

financed? Should pupils be required to give an account for all money transactions in their club?

4. What should be the aims and outcomes of a program of extra-curricular activities? Of each club?
5. What credit should be given the pupil for satisfactory participation in an activity? How should the teacher be encouraged to further prepare herself for competent guidance in these activities?
6. How may pupil participation best be encouraged? Restricted?
7. When should clubs meet?
8. Should clubs be for both boys and girls? or should we have separate clubs for each group?
9. Should we require pupils to maintain a certain academic average in order to participate in extra-curricular activities?
10. Where should the clubs hold their meetings? For how long?

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FOREWORD

This issue of the Extension Bulletin announces the restoration and expansion of the services of the Bureau of Visual Instruction of the University Extension Division. It presents the offerings of the new Educational Film Library Loan Service to public schools, colleges, and community organizations interested in adult education. The former services of the Bureau, such as the loan of lantern slides, have been renewed with plans for the addition of new material as quickly as financial resources permit.

It is the purpose of the Extension Division to place the audio-visual aids at the disposal of the schools and other educational and civic agencies on a cost basis. The receipts from rental charges will be used to operate the service and to make accessions to the library of films and slides.

Primarily, the visual education services are designed to aid elementary school, secondary school, and college teachers to supplement classroom instruction. Consequently, material is being selected and made available that may be integrated with the curriculum or the courses of study in public schools and colleges. Special programs will also be arranged to fit the interest of adult study groups.

The Bureau is prepared to provide a number of advisory services including the selection of projectors and other equipment, suggestions to teachers regarding the use of visual aids, and information on the sources of motion picture films and slides.

Due to the fact that only a comparatively small number of schools are at present equipped to use films, the Bureau will loan projectors on a nominal rental basis. Parent-Teacher Associations and other organizations are interested in educational motion pictures and may be requested to cooperate with the schools in securing the necessary equipment.

Suggestions concerning the services of the Bureau are solicited.

June 3, 1937

Mr. R. M. Grumman, Director
University Extension Division
Chapel Hill, N. C.

Dear Mr. Grumman:

I have discussed with members of the staff of The State Department of Public Instruction the plan proposed by the University of North Carolina Extension Division for conducting visual education services to the public schools. We are interested in the establishment of a State Film Library to be made available to the schools primarily to supplement classroom instruction. We wish to endorse the proposed service and give general approval of the material to be offered the schools, provided it may be properly integrated with the curriculum.

The State Department of Public Instruction recommends the visual method of instruction and urges the public schools to make use of the audio-visual aids obtainable on a loan basis from the University Extension Division and other sources.

Sincerely yours,

CLYDE A. ERWIN,
Superintendent of Public Instruction

SELECTING FILMS AND INTEGRATING THEM WITH THE CURRICULUM

Prepared by H. A. Gray, Ph.D.
Research Associate, Erpi Picture Consultants

The initial step in working out plans for a program of audio-visual instruction is that of selecting worthwhile materials and co-ordinating them with the local educational offering. Many a promising start in the use of films has failed because films were rented, borrowed, or purchased without due regard to their suitability as materials of instruction in general, or to their usefulness in connection with the work proceeding in the local classrooms.

In building up a library of films, standards for selection may be developed in the form of a checklist. Devereux presents a comprehensive discussion of the factors which should be safeguarded in the production of a film which is successful in teaching. From the criteria presented, it should be possible to devise a local rating form for evaluating educational sound films.

Materials selected for the audio-visual library must be integrated with the local course of study or other program of instruction. The most satisfactory way of doing this is to study closely films considered for purchase, in terms of their correlation with the courses of study, textbooks used, or other outline of instruction, and to indicate such points of correlation in written form. This form may vary; for example, appropriate films may be written into the courses of study under the specific topics to which they apply, as a convenient source of reference for the teacher. Another way is to prepare a "Film Supplement" to the courses of study, listing films available under subject-matter topics; this is the easiest method of beginning the work. The film listings may be later incorporated in revised editions of the courses of study.

For the initial stage of the audio-visual instruction program in the North Carolina schools it is recommended that the use of films be concentrated mainly in the field of science, from grades four to twelve inclusive. The educational sound films now available cover most aspects of science instruction. There is a decided advantage to developing a broad science program aided by the use of films, particularly where a program of elementary science is in the process of development. The use of sound films can facilitate this work tremendously, by providing study materials and learning experiences which otherwise are not available for classroom utilization.

It is suggested that certain sound films, placed at various levels in the science program for grades four to twelve inclusive, be utilized as integrating devices. For example, the film "Plant Growth" might be used in the fourth grade and again in high school biology. The high school student will concentrate upon the mastery of scientific concepts; the elementary school pupil, upon building up general appreciations.

Some may argue that this constitutes over-use of the film. This is no more true than in the case of the repetition of subject-matter. The same subject-matter occurs at various levels in the science program, with different angles of approach and different applications to the environment of the student. When such repetition of films has been carefully planned in terms of the subject-matter and the objectives of the courses, the concepts presented are reinforced.

To indicate in more detail the integration of available sound films with course of study materials, representative science textbooks utilized in the North Carolina schools have been analyzed and the application of specific films noted. It should be remembered that this listing of appropriate films represents an initial stage only; as more films are produced and as the content of science teaching is revised, an enlargement of the film library will be desirable.

Elementary Science

The following sound films are definitely correlated with the Craig "Pathways in Science" series of texts for the 4th, 5th, and 6th grades, as indicated by the following:

Fourth Grade

"The Earth and the Living Things"

Unit	*Film*
II. THE CHANGING EARTH	The Wearing Away of the Land, The Work of Running Water, The Earth's Rocky Crust.
V. SOCIAL LIFE AMONG ANIMALS: ANTS, WASPS, SPIDERS	Aphids, Spiders.
VI. HOW OTHER ANIMALS LIVE	Animals of the Zoo.
VII. THE VALUE OF ANIMALS AND PLANTS	Roots of Plants.
VIII. PLANTS	Fungus Plants.

Fifth Grade

"Learning About Our World"

Unit	*Film*
I. GETTING READY FOR WINTER	Animal Life, Beetles, Roots of Plants, Leaves, Animals of the Zoo, Moths, How Nature Protects Animals.
II. MIGRATION	Animals of the Zoo.
III. HIBERNATION	Butterflies, The Frog.
IV. COLOR THAT PROTECTS	How Nature Protects Animals, Moths.
VI. WHAT ARE MAGNETISM AND ELECTRICITY?	Electrostatics.

VIII. AROUND US	The Work of Running Water, The Wearing Away of the Land, The Earth's Rocky Crust.
IX. PLANTS	Plant Growth, Roots of Plants, Flowers at Work, Seed Dispersal, Plant Traps, Leaves.
X. FORESTS	The Wearing Away of the Land.
XI. ANIMALS THAT CHANGE THEIR APPEARANCE	The Frog, Butterflies, Moths.
XII. INSECTS	The Housefly, Pond Insects, Aphids, Beetles, Moths.

Sixth Grade

"Our Earth and Its Story"

Unit	*Film*
II. BIRTH OF THE SOLAR SYSTEM	The Solar Family.
III. OUR CHANGING EARTH	Mountain Building, Volcanoes in Action.
IV. THE LAYERS OF THE EARTH AS A STORY BOOK	The Work of Rivers, The Work of the Atmosphere.
VII. THE RISE OF PLANTS AND ANIMALS	Geological Work of Ice.
VIII. PLANTS AND ANIMALS OF TODAY	Beetles, Plant Traps, The Dodder, Fungus Plants, How Nature Protects Animals, Beach and Sea Animals, Pond Insects.
XI. METHODS OF COMMUNICATION HAVE CHANGED	Sound Waves and Their Sources.
XII. MEN IMPROVE TRANSPORTATION	The Development of Transportation.

General Science

Analyzing the textbook content of the basic offering in general science the following sound films are found to be closely integrated with the subject-matter being studied.

Seventh Grade

"Our Environment—Its Relation to Us"

Chapter	*Film*
II. WATER AND ITS WAYS	Ground Water.
III. WATER AS A WORKER	The Work of Rivers.
IV. LAND AND WATER	Volcanoes in Action, Work of Rivers.
V. ROCKS	Mountain Building.

VI. SOIL FORMATION	The Work of the Atmosphere, Geological Work of Ice.
VIII. LIFE IN THE SOIL	Fungus Plants, Beetles.
IX. AIR AND HEALTH	Mechanisms of Breathing.
X. THE OCCURRENCE AND USE OF AIR	Oxidation and Reduction.
XIV. THE HUMAN MACHINE	Body Defenses against Disease, The Heart and Circulation of the Blood.
XV. CONTROL CENTERS OF THE HUMAN MACHINE	The Nervous System.

Eighth Grade

"Our Environment—How We Adapt Ourselves To It"

Chapter	*Film*
III. OUR SOLAR SYSTEM	The Solar Family.
IV. OUR SOLAR RELATIVES—THE PLANETS	The Solar Family, The Moon.
V. THE ADAPTATION OF LIFE TO THE SOLAR SYSTEM	The Earth in Motion.
VI. EARTH MEASUREMENTS	Exploring the Universe.
XIV. THE HEALTHFULNESS OF THE COMMUNITY	The Housefly.
XVI. GARDEN FRIENDS AND ENEMIES	The Dodder, Seed Dispersal, Beetles, Aphids, Fungus Plants, Butterflies, The Frog, Flowers at Work.

"My Own Science Problems"

Unit	*Film*
I. GETTING ACQUAINTED WITH THINGS	Molecular Theory of Matter.
II. LIFE DEPENDS ON ADAPTATIONS	Seed Dispersal, How Nature Protects Animals, Plant Traps.
III. LIVING IN AN OCEAN OF AIR	Oxidation and Reduction, Mechanisms of Breathing.
IV. WATER AND ITS EVERYDAY USES	Ground Water.
VII. HOW WE MAY PRODUCE ELECTRICITY AND MAGNETISM	Electrostatics, Electrodynamics, Electrochemistry, Electrons.
VIII. GETTING ACQUAINTED WITH THE STARS	The Solar Family, The Earth in Motion, The Moon, Exploring the Universe.
IX. ROCKS AND SOIL	The Work of the Atmosphere, The Work of Rivers, Geological Work of Ice, Volcanoes in Action.

X. LIVING THINGS IN THEIR ENVIRONMENT	Plant Growth, Leaves, Roots of Plants, Flowers at Work, Beach and Sea Animals, Tiny Water Animals, The Housefly, The Frog, Beetles, Butterflies, Moths.
XII. THE HUMAN MACHINE AND HOW TO CARE FOR IT	Body Defenses Against Disease, The Heart and Circulation of the Blood, The Nervous System, Mechanisms of Breathing.

"General Science for Today"

Unit	*Film*
I. THE ATMOSPHERE AS A PART OF THE EARTH	The Work of the Atmosphere, Mechanisms of Breathing.
II. WATER ON THE EARTH	The Work of Rivers, Ground Water, Tiny Water Animals, Energy and Its Transformations.
III. THE EARTH UNDER OUR FEET	Mountain Building, Volcanoes in Action, The Work of Rivers, The Work of the Atmosphere, Geological Work of Ice.
V. LIFE ON THE EARTH	Plant Growth, Roots of Plants, Leaves, Flowers at Work, Fungus Plants, Beetles, The Housefly, Butterflies, Moths, Aphids, Tiny Water Animals.
VI. THE SUBSTANCES OF THE EARTH	Molecular Theory of Matter, Electrochemistry.
VII. THE CONTROL OF NATURAL FORCES	Energy and Its Transformations.
VIII. THE CONTROL OF HEAT	Oxidation and Reduction, Energy and Its Transformations.
X. THE CONTROL OF ELECTRICITY	Electrostatics, Electrodynamics, Electrochemistry.
XI. THE CONTROL OF SOUND AND ELECTRICITY IN COMMUNICATION	Electrons, Sound Waves and Their Sources, Fundamentals of Acoustics.
XII. HOW WE MANAGE TO KEEP ALIVE	Body Defenses Against Disease, The Nervous System, The Housefly.

Ninth Grade

"Our Environment—How We Use and Control It"

Chapter	*Film*
II. WORK IN OUR ENVIRONMENT	Molecular Theory of Matter, Energy and Its Transformations.

III. How Air Works for Man	Sound Waves and Their Sources, Fundamentals of Acoustics.
IV. Air, Fire, and Living Things	Oxidation and Reduction.
VII. Sources and Control of Heat	Molecular Theory of Matter, Energy and Its Transformations.
IX. Magnetism and the Work of Electricity	Electrodynamics, Electrostatics, Electrons.
X. The Work of Water, Heat, and Electricity in Industry	Oxidation and Reduction, Electrodynamics.
XI. The Work of the Factors of Our Environment in Transportation	The Development of Transportation.
XIII. How the Earth Was Prepared for Life upon It	Volcanoes in Action, Geological Work of Ice, Mountain Building, The Work of the Atmosphere, The Work of Rivers, Ground Water.
XIV. The Sun as the Center of Our Universe	The Earth in Motion, The Solar Family, Exploring the Universe.
XVI. The Relation of Solar Energy to the Work of Plants	Seed Dispersal, Roots of Plants, Leaves.
XVII. The Use of the Environmental Factors in Agriculture	Fungus Plants.
XVIII. Food as Fuel for the Human Engine	Mechanisms of Breathing, The Heart and Circulation of the Blood.
XX. The Work of Controlling the Body	The Nervous System.
XXI. Micro-Organisms and Their Work	Fungus Plants.
XXII. The Preservation of Health in the Home	The Housefly.
XXIV. The Origin, Conservation, and Improvement of Life	Tiny Water Animals, Flowers at Work, The Frog, Animal Life.

These materials will provide an outstanding contribution to the science offering at this level.

Biology

A similar analysis of the local offerings in the subject of biology indicates that the following film-unit integrations exist.

"New Biology"

Unit	*Film*
IV. THE GREEN PLANT AS A FOOD FACTORY	Leaves, Plant Growth.
VII. THE STUDY OF INSECTS AND THEIR HABITS	Beetles, The Housefly, Aphids.
VIII. MOTHS, BEES AND ANTS	Moths, Butterflies.
IX. CRAYFISH	Beach and Sea Animals.
X. SOME OTHER INTERESTING INVERTEBRATES	Spiders.
XI. A SIMPLE VERTEBRATE, THE FISH	Tiny Water Animals, Pond Insects.
XII. SALAMANDERS, FROGS, AND TOADS	The Frog.
XV. MAMMALS, THE RULERS OF THE EARTH	How Nature Protects Animals.
XVII. LEAVES, THE PLANT'S FACTORY	Leaves, The Dodder.
XIX. THE ROOT, THE PLANT'S ABSORBING ORGAN AND ANCHOR	Roots of Plants.
XX. FLOWERS AND FRUITS	Flowers at Work, Seed Dispersal, Plant Growth, Plant Traps.
XXIV. A GLANCE AT THE SIMPLEST ORGANISMS	Fungus Plants.
XXXI. TRANSPORTATION SYSTEM	The Heart and Circulation of the Blood, Mechanisms of Breathing.
XXXIII. THE REGULATING MECHANISMS	The Nervous System.
XXXV. SOME BIOLOGICAL PROBLEMS THAT MAN TRIES TO SOLVE	Body Defenses Against Disease.

"Dynamic Biology"

Unit	*Film*
II. THE FASCINATION OF MICROSCOPIC LIFE.	Tiny Water Animals.
III. CONQUERING DANGEROUS MICROBES	Body Defenses Against Disease.
V. FRIENDS AND FOES AMONG THE INSECT	Butterflies, Moths, Flowers at Work, The Housefly, Beetles.
VI. LIFE PROCESSES IN PLANTS AND ANIMALS	Leaves, Roots of Plants, Mechanisms of Breathing, The Heart and Circulation of the Blood.
VII. EXPLORING THE PLANT AND ANIMAL GROUPS	Fungus Plants, Tiny Water Animals, Beach and Sea Animals, Spiders, The Frog, Animals of the Zoo.

X. How Plants and Animals Behave	Roots of Plants, Reactions in Plants and Animals, The Nervous System.
XI. Replenishing the World with Life	Fungus Plants, Plant Growth, Flowers at Work, Tiny Water Animals, Beach and Sea Animals, The Frog, Aphids, Seed Dispersal, Spiders.
XIV. Changing Forms of Living Things	Mountain Building (Provides appreciation of geologic time supplementary.)

Physics and Chemistry

The following sound films have been produced in collaboration with the University of Chicago, especially for use in high school physical science courses. They will be found closely integrated with the units now taught in these subjects in the North Carolina high schools.

Molecular Theory of Matter	Electrostatics
Energy and Its Transformations	Electrodynamics
Sound Waves and Their Sources	Electrons
Fundamentals of Acoustics	Electrochemistry

Oxidation and Reduction

Health Education

Attention is directed to the contribution which four films dealing with the physiology of the major body processes, and one film pertaining to the daily care and training of infants can make to the health program of the North Carolina schools, particularly in grades 8 to 11. These productions, listed below, were prepared by outstanding authorities in the fields of physiology and child development, and present in a vivid, interesting manner, information which until recently was known only to a few research specialists.

The Heart and Circulation of the Blood	The Nervous System
Mechanisms of Breathing	Body Defenses Against Disease

A Thirty-Six Weeks Behavior Day

Music

Similarly, five films related to music theory and appreciation objectives as outlined in the North Carolina course of study can bring to the schools an abundance of stimulating learning experiences.

The String Choir	The Percussion Group
The Brass Choir	Sound Waves & Their Sources

Fundamentals of Acoustics

Vocational Education

Of particular value to those aspects of vocational education that deal with guidance are the two films "CHOOSING YOUR VOCATION," and "THE BUILDERS" for use in junior and senior high classes. *Note:* Further information concerning the integration of these films with any science textbook will be supplied upon request.

Regulations and Procedure for Borrowing Films

(A request for films implies acceptance of the conditions governing the service.)

How to Order Films

1. In requesting films or otherwise referring to them in correspondence, specify the correct number, title, whether sound or silent, number of reels, and date or dates on which they are to be used. Since many items are duplicated in two or more films, orders cannot be filled without this information. Shipping directions (whether by parcel post, Southeastern Express, or Bus) must be full and explicit, and the address to which films are to be sent must be given.

2. Booking requests must be made in the name of the institution or organization using the films, and must be signed by the person to whom shipments are to be made and billed, and who is responsible for the return of the materials.

3. Film schedules are reserved in order of receipt; therefore, early requests are advisable. Bookings should be made at least two weeks in advance, and may be made in advance for the entire year.

4. It is advisable to give alternate choices of both titles and dates. Every effort will be made to complete a satisfactory schedule. The Extension Division reserves the right to make substitutions in subjects, especially in late orders, when the film or films asked for are not available.

Shipments

5. The Extension Division endeavors to ship films so as to arrive at their destination the day before the showing date.

6. Film users will pay transportation charges both ways. Films may be shipped by parcel post, Southeastern Express, or bus. Shipments made by express from Chapel Hill may be returned for one-half the outgoing rate.

7. Shipments to and from many localities are cheaper by parcel post than by express. Schools or organizations desiring shipments by parcel post and planning to use numerous films during the year should make a deposit of $5.00 or $10.00 to cover postage from Chapel Hill. Accurate account of postage is kept, and when the amount of the postage is depleted the borrower is notified; in case all of the deposit is not used, the Extension Division will hold to the credit of the account any unused portion unless request for refund is made. Borrowers having postage deposits should state when ordering films that shipment is to be made by parcel post.

8. In some cases, where shipments by parcel post require an excessive amount of time in transit, the Division reserves the right to ship films by parcel post "special handling" and to charge the extra special handling fee of from ten to twenty cents to the user's account.

Care of Films

9. A SOUND FILM CAN UNDER NO CIRCUMSTANCES BE SHOWN ON A SILENT PROJECTOR.

10. Use special care in threading the projector so that no sprocket holes will be torn. Remember that one trip through an improperly adjusted projector may completely ruin a film. The film track and tension spring or plates should be thoroughly cleaned of all emulsion deposit after each program. Torn sprocket holes may be caused by worn sprocket teeth or by dirt accumulating in the film track, on the tension spring, or around the sprocket teeth. Faulty sound is sometimes caused by particles of dirt in the sound optical system of the projector. Do not use a dirty projector, a poor screen, or an uninformed operator, since it is impossible to obtain good projection under these conditions. Occasionally, sometimes evidently without the knowledge of the borrower, sprocket holes throughout an entire film are badly damaged and in some instances the film is rendered unfit for further service, making replacement necessary. To avoid such extensive damage, the person projecting the film should be very watchful of a slight difference in the noise made by the projector mechanism or for any unusual flicker in the screen image.

11. Do not allow grease, oil, or water to come into contact with the films.

12. If film breaks, do not pin the two ends together. This may injure the mechanism used for inspection of all films. If a break occurs during projection, a few feet of film should be run through the projector and lapped under the end of the film on the take-up reel.

13. Unless absolutely necessary, users should not repair broken films before returning them. When it is necessary to splice a broken sound film for additional showings, users should indicate on the report card returned with the film that a splice has been made and the approximate part of the picture where the splice was made so that the splice may be deadened to avoid disturbances in the sound.

14. Keep films in metal containers and in a moderately cool place, in order to keep them from drying out and becoming brittle.

Returning Films

15. The report card enclosed in the film cans with each shipment of films must be filled in and sent to the University Extension Division promptly after each showing. Users are requested to comment freely on their use of the films and their relative effectiveness as used.

16. Return film shipments must be made by first mail or express after their scheduled use. All shipments must be returned prepaid.

17. Films must be returned, carefully packed, in the boxes and in the cans in which they were received. Return address labels are included in each shipment; these labels should be used for safe re-

turn of all materials. All old labels should be marked out or scraped off the package to avoid the possibility of its going astray.

18. Films should be rewound after showing if possible and returned on the same reels on which they were received. The Extension Division reserves the right to make an extra charge when reels inferior to those sent are returned.

19. In returning films by express, always obtain a receipt so that in case of loss responsibility may be properly placed.

20. The Extension Division reserves the right to send collect telegrams or to reverse telephone charges when borrowers do not return the films promptly as scheduled. All material is booked in advance, and this service cannot operate efficiently without the full cooperation of its borrowers in the prompt return of films.

21. If it should become necessary to hold films beyond dates scheduled, permission should be requested from the Division by telephone or telegraph. Films must be scheduled for additional days in advance; otherwise, the full service charge will be made for each day the material is held without permission.

Fees

22. All service fees and rentals are payable in advance. When orders are not accompanied by payment, the Division reserves the right to ship films C.O.D.

23. Each rental fee quoted covers the use of the film in one school for one day. For each successive day, one-half of the fee quoted for the first day's use will be charged.

24. No restrictions are made regarding the charging of admission to film showings when the proceeds are to be used for purchasing projection equipment or for similar uses.

25. All checks and money orders should be made payable to: University Extension Division.

Responsibility of Film Users

26. Exhibitors are responsible for films and will be held liable for damage or loss occurring while such material is in their possession, regardless of cause. Damaged films will be charged for at the rate of actual cost of replacement. Should material be damaged when received, report should be made the same day.

27. The Extension Division inspects all films by machine immediately after their return by the user, and reserves the right to determine the extent of damage and to fix proper charge for damage in each case. No charge will be made for ordinary breaks not involving extensive damage to the film.

28. Any failure to ship or handle visual instruction materials properly or to report showings and attendance will be considered sufficient reason for discontinuing service.

Miscellaneous

29. Each 400-foot reel of sound film requires about eleven minutes for projection. The same length of silent film requires about fifteen minutes, due to the difference in projection speed.

30. Films may not be loaned to other institutions or individuals by the original borrower without the knowledge and consent of the Extension Division.

31. Teaching manuals or guides are available for a number of films as indicated by the word "guide" in the listing of the film. These guides will be sent only if the user specifically requests them. Users must pay postage on the teachers' guides.

32. Requests for booking forms, for the use of motion picture films, for information on the value and proper use of films in the classroom, for information pertaining to the purchase of visual aids (projectors, films, classroom equipment, etc.), and all other communications relating to the service should be addressed to: Bureau of Visual Instruction, University Extension Division, Chapel Hill, N. C.

CLUB RENTAL PLANS

In cooperation with institutions and organizations that contemplate scheduling a number of films for several months or a year in advance, the University Extension Division offers two booking plans on a yearly basis at club rates, as follows:

PLAN I—Any institution or organization agreeing to be governed by the procedure outlined on pages 15, 16, 17, and 18 of this bulletin may use sixty films listed at a service charge of not more than $1.50 each per film-day, upon payment in advance of $50.00. If films are to be shipped by parcel post, an advance deposit of $10.00 for postage is required; if by express, transportation both ways will be paid by the user.

PLAN II—Any institution or organization may use thirty films listed at a service charge of not more than $1.50 each per film-day upon payment in advance of $30.00 and a deposit of $5.00 for postage.

NOTE: Obviously, it will be advantageous to use the Erpi films under either club rental plan. (New films will be added to the Library during the year.) If the borrower wishes to use other films it is suggested that the listed service fee be paid in addition to the club fee. Otherwise, these films will be considered a charge against the total number called for in the contract. Whenever a film is held over a second day it will be counted as one of the total of thirty or sixty films used by the club member.

PLAN FOR BORROWING PROJECTORS

To schools not owning motion picture equipment, the Extension Division offers for rent screens and 16mm. sound projectors using 750 watt lamps.

The rental fee for a screen and projector will be five dollars for each day used. The borrower will pay all transportation charges.

The person or institution renting same will be held responsible for the proper care of the equipment. This will necessitate the employment of a competent operator.

LANTERN SLIDE LOAN SERVICE

The Extension Division has available approximately 1500 stereopticon slides adapted for use in schools and colleges. These slides are listed under the following subjects: Electricity, Geography, History, Health, Latin, Physiology, and Radio. They may be obtained on a nominal rental basis. Information regarding the list of slides and rental charges may be secured by writing the Bureau of Visual Instruction, Chapel Hill, N. C.

EXPLANATION OF ABBREVIATIONS

Title: The title of the film is given as listed by the producer.

Catalog Number: For purposes of identification, a catalog number and letter has been assigned each film. This number and letter is given for each film immediately following the title in the alphabetical listing.

Length: Length is given in number of 400-foot reels, designated by "R."

Width: All films listed are 16mm. in width.

Sound or Silent: Sound films are indicated by the word "sound" following the number of reels. Silent films are indicated by "silent."

Service Fee: The service fee for one day's use of a film is given in dollars and cents following "sound" or "silent."

Grade Levels: The abbreviations "el," "jh," "sh," and "c" are used to indicate the grade levels for which the film is most suitable. Many films are clearly suitable for use on several grade levels.

Teacher's Guide: "Guide" is used following the grade level abbreviation to indicate a teacher's guide or manual accompanying the film. Guides may be had on request, film user paying postage.

Sound and Silent Versions of Same Film: A number of the films listed are available in both sound and silent versions. In such cases, two catalog numbers and service fees are given.

KEY TO SYMBOLS

R—Reel or reels.
Sound—Sound-on-film.
Silent—No sound—titles instead of sound.
el—elementary; suitable for elementary grades.
jh—junior high; suitable for junior high school.
sh—senior high; suitable for senior high school.
c—college; suitable for college use.

SIXTEEN MILLIMETER SOUND AND SILENT FILMS

Alphabetically Arranged

About Bananas
No. 1-Z 1R silent $.25 el-jh-sh-c

This film takes the place of an earlier one titled "Banana Land." Complete presentation of the banana industry from the clearing of the jungle and the planting to the shipment of the fruit to the American markets. Scenes laid in Central America.

Ahr Valley—Where the Red Wine Grows
No. 1-G 2R silent $.50 el-jh-sh-c

The rich red wines made from the luscious grapes cultivated in the River Ahr valley are famous the world over. The entire crop is picked in a single day—every villager helps. A gay harvest festival follows. This film also shows some of the curative springs which abound in this region.

Alexander Hamilton
No. 1-Y 3R silent $7.50 el-jh guide

A biographical film revealing Hamilton's work during the crucial period immediately following the War of Independence in stabilizing the currency of the new government and formulating its financial system. He is first seen at Morristown, New Jersey, as aide to General Washington during the closing years of the war. He is present at Washington's inauguration, and is appointed first Secretary of the Treasury. He at once undertakes to secure adequate revenue through taxation. Opposition to his Excise Tax leads to open rebellion in western Pennsylvania. He forsees the necessity for the government to regard this as an opportunity to show its strength. President Washington, despite his reluctance to risk a civil war, accepts Hamilton's viewpoint and calls out the militia. The disorder is promptly and decisively checked.

Allgaeu in Summer
No. 2-G 1R silent $.25; No. 3-G 1R sound $.50 sh-c

This region, situated in Southern Germany, is remarkable for its interesting old towns, ancient monasteries, magnificent castles and most of all the picturesque dress of its sturdy peasants. This is an ideal travelogue depicting a little-travelled part of Germany during the season of its greatest charm. The dialogue is in German.

Animals of the Zoo (Erpi)
No. 1-E 1R sound $1.50 el-jh-sh guide

Feeding time at the Zoo! This gives us a splendid opportunity to see not only the animals themselves, but the different kinds of food they eat. For some of the animals the zoo has reproduced the conditions of their native homes. Among the film stars are the lion,

tiger, eland, giraffe, bison, hippopotamus, rhinoceros, elephant, monkeys, sea lions, and the bears—brown, black and polar!

Aphids (Erpi)
No. 2-E 1R sound $1.50 el-jh-sh-c guide

This film deals with a very interesting creature. It shows that most aphids have no fathers or even grandfathers. Some are born alive, while others hatch from eggs; only a few have wings. Ants keep them as cows, while the aphid itself secures its food in an unusual way. It is beset by a host of enemies, among which is man. These scenes are supplemented by an animated drawing of the aphid's life cycle. It is an excellent picture of a little-known creature.

The Baroque City of Dresden
No. 4-G 1R sound $.50 sh-c

Dresden is world-renowned for its beautiful and varied examples of the baroque period. The motion pictures shows the art treasures of this period which have been amassed by its rulers in the course of many centuries. The dialogue is in German.

Bayreuth—City of Richard Wagner
No. 5-G 1R silent $.25; No. 6-G 1R sound $.50 el-jh-sh-c

Here are shown scenes of the famous Wagner city. The film shows the Wagner Museum, the "Owl" Inn, the Opera House and Wagner's home "Wahnfried" in which he lived.

Beach and Sea Animals (Erpi)
No. 3-E 1R sound $1.50 el-jh-sh-c guide

Among the animals brought to the screen are the starfish, sea-urchin, crab, cuttlefish, octopus, crayfish, lobster, shrimp, snail, scallop, and the sea-cucumber. The physical structure and activities of these animals are presented in an intimate way. The balance in nature or interrelations of various animals is clearly illustrated, special emphasis being placed on their methods of protection. The picture is one of unusual interest.

Beautiful Dresden
No. 7-G 1R silent $.25; No. 8-G 1R sound $.50 el- jh- sh-c

This film is descriptive of one of the most celebrated art centers of Europe. Dresden is situated on both banks of the Elbe River and boasts of seven bridges and many magnificent buildings and gardens. This film shows the interiors of some of the famous galleries with their great masterpieces of art.

Beetles (Erpi)
No. 4-E 1R sound $1.50 jh-sh-c

In this picture, the complete life histories of the tiger, ladybird and Japanese beetles are vividly revealed on the screen. Many rarely observed events in their lives are presented; some comic, some tragic.

The economic relation of beetles to man is definitely brought out. Picture and narrative demonstrate how some beetles have been pressed into the service of man, while others are harmful and must be destroyed through ceaseless warfare carried on by man.

Berlin
No. 9-G 2R silent $.50; No. 10-G 2R sound $1.00 el-jh-sh-c

An intimate picture of Germany's capital. Many of its famous streets, public buildings, monuments and old palaces are shown in this interesting travelogue. The historical background enriches the value of the film.

Big Bend National Park Project
No. 1-D 1R silent $.25 el-jh-sh-c

A trip through one of the wildest, strangest spots in the United States, recently made a National Park Project; featuring mountains and broad desolation, with a prologue on Texas' national resources.

Body Defenses Against Disease (Erpi)
No. 5-E 1R sound $1.50 jh-sh-c guide

The film provides an exposition of the three lines of defense—the skin, phagocytic cells and lymphatics, and the blood, including a section on immunology. Spectacular microphotography of phagocytosis is shown along with applications of the defense mechanism in specific cases. The action of liver and spleen together with types of anti-bodies and their effects are dealt with.

The Brass Choir (Erpi)
No. 6-E 1R sound $1.50 el-jh-sh-c

This picture presents the individual instruments of the brass choir—the cornet, trumpet, French horn, trombone, tuba, and their peculiar characteristics. Solo numbers represent the best compositions that have been prepared for the individual instruments. The ensemble gives a thrilling performance of the "March" and the "Pilgrims' Chorus" from "Tannhauser" by Wagner. A stirring picture to be enjoyed and appreciated by everyone.

Bremen
No. 11-G 1R silent $.25; No. 12-G 1R sound $.50 el-jh-sh-c

The photographic treatment of this film exemplifies the modern trend in European film production. Extraordinary views of this old city are shown by the use of unusual and interesting camera angles. The grotesque shots of the strange "lead vault" of the Bremen Cathedral are particularly startling.

The Builders (Erpi)
No. 7-E 2R sound $3.00 el-jh-sh guide

This picture presents a cross section of the building trades. It furnishes occupational information for boys who have reached the

stage at which they are doing some definite thinking about a future occupation. The picture centers around the construction of a huge skyscraper and shows the specialized artisans at work. The picture stirs the imagination and stimulates the student to secure more information.

Butterflies (Erpi)
No. 8-E 1R sound $1.50 el-jh-sh-c guide

The film on butterflies illustrates the complete life history of the cabbage butterfly and the swallow-tail butterfly with their different characteristics and habits, including their role in nature, that of aiding in the cross-fertilization of flowers. Time-lapse photography is employed to show in a few seconds processes which require an hour or more. The destructiveness of the cabbage butterfly, as well as its unusual control by a natural enemy, is dramatically depicted.

The Call of the Olympic Bell
No. 13-G 2R silent $.50; No. 14-G 2R sound $1.00 el-jh-sh-c

A brief review of the history of the Olympic Games, commencing with the beginning of the Games in 776 B.C. up to and including the preparations of the XI. Olympic Games in Berlin in 1936. It does not contain a picture record of the last Olympic Games but is packed with lively sport scenes and pictures of Germany.

Carlsbad Cavern (New Mexico)
No. 2-D 1R silent $.25 el-jh-sh-c

Views of the interior of the Caverns, with pictures of interesting plant and animal life of that area and an animated explanation of the formation of the Caverns and of the interesting formations within them.

Castles in the Meissen Country
No. 15-G 1R sound $.50 sh-c

Here are shown the fertile lowlands of Saxony whose history dates back to the 10th Century when it became part of Germany. The film shows the picturesque ruins of its many medieval strongholds. The thousand-year-old city of Meissen is also shown, as is the State Porcelain Factory, the oldest in Europe. The dialogue is in German.

CCC Accomplishments in Pennsylvania
No. 3-D 2R sound $1.00 el-jh-sh-c

CCC work in the state and county parks of Pennsylvania with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the state.

Choosing Your Vocation (Erpi)
No. 9-E 1R sound $1.50 el-jh-sh-c guide

Dr. Kitson enacts the role of a psychoanalyst as he interprets the

vocational problems of a high school boy who is making an effort to adjust himself. The boy faces his first problem when he desires money to purchase a camera. His first attempt at a "white collar" job is unsuccessful. Further research and reading convince the boy that he must enter a vocation which will permit him to utilize his special talents and interests. Following a period of "try-out" he reaches his goal.

Columbus
No. 2-Y 4R silent $7.50 el-jh guide

The career of Columbus from 1485 to 1492, disclosing the discouragements, the persistent efforts and the ultimate triumph of the "mad Italian." First seen at the court of King John of Portugal, he discovers the duplicity of this monarch and starts anew on the arduous search for support which leads him, years later, before Ferdinand and Isabella of Spain. At first rebuffed, he secures a second interview through the intercession of Juan Perez and wins Isabella's aid. Then comes the departure of his tiny fleet from Palos, his dangers on the high seas, and his eventual landing upon Watling Island.

The Conquest of Diphtheria
No. 1-M 1R silent $.25 el-jh-sh

Skipper, aged four, and the youngest member of an average American family, has fallen ill. As there are many cases of diphtheria in town, Dr. Simmons is called in. He finds that Skipper has only raided the family ice-box. However, precautions are taken and Skipper is given his first injection for diphtheria immunization. Dr. Simmons tells Skipper's mother of the days when his grandfather practiced medicine.

Cotton From Seed to Cloth
No. 1-F 2R silent $.50 el-jh-sh guide

Shows the cotton producing regions of the world, the growing of cotton in the Southern states, ginning, transportation to New England, manufacture into cloth and blankets, with animations showing for the first time the details of spinning and weaving, cotton textiles and blankets in color photography, cotton Indian head, broadcloth, and prints used in dresses.

The Country and People of the Erzgebirge
No. 16-G 1R sound $.50 sh-c

Among the many interesting scenes in this film are shots showing peasants making lace, even the thread being made by hand. Other scenes show the making of brushes—the sole industry of one village. Wood carving and toy making also play a prominent part in the lives of these people. The dialogue is in German.

The Cradle of the Father of Waters
No. 4-D 1R sound $.50 el-jh-sh-c

CCC work in north central Minnesota with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the state.

Daniel Boone
No. 3-Y 3R silent $7.50 el-jh-sh guide

The courage and unconquerable spirit of the early pioneers, typified by a portion of the adventuresome career of Daniel Boone. In 1775, landholders of North Carolina sent him as the forerunner of a new settlement in what is now Kentucky. He establishes Boonesboro but the colony faces extinction because of sickness and Indian depredations. The film describes Boone's capture by the Shawnees, his acceptance as an Indian brother, his final escape and his defending Boonesboro against a bitted nine-day attack.

A Day in Virginia Camps
No. 5-D 2R silent $.50 el-jh-sh-c

Scenic and CCC work record in Seashore, Westmoreland, Staunton River, Hungry Mother, and Fairy Stone State Parks in Virginia. CCC camp life and recreation.

Death Valley National Monument
No. 6-D 2R silent $.50 el-jh-sh-c

A camera journey through an area known all over the world because of the fact it lies below sea level. Remnants of the days of the gold rush. 20 mule team wagons and modern facilities for seeing this strange land.

The Declaration of Independence
No. 4-Y 3R silent $7.50 el-jh guide

An account of the efforts of a small group of patriots to bring about a unanimous vote in favor of independence which reveals the three outstanding attitudes of public opinion in 1776 as represented by Tories, Conservatives, and those in favor of absolute independence. The influence of Pamphleteers, typified by Thomas Paine and his "Common Sense," the unofficial gatherings of delegates, the concern of John Adams, Franklin and others as to the attitude of France, the proceedings of the Second Continental Congress culminating in the famous session of July 2nd, 1776, when a unanimous resolution for independence was secured. The formal adoption of the Declaration of July 4th, and the subsequent excitement.

The Development of Transportation (Erpi)
No. 10-E 1R sound $1.50 el-jh-sh-c guide

This picture presents transportation developments within the United States during the past one hundred fifty years. The physical barriers, the spread of the railroad network, and the subsequent

highway development, are shown rapidly and clearly. Principal stages in the development of the locomotive and automobile are portrayed. Modern transportation devices including the airplane are shown in relation to their potentialities and our utter dependence upon them.

Dixie
No. 5-Y 3R silent $7.50 el-jh-sh guide

"Dixie" relates the story of the civilian South throughout the Civil War, revealing the heroic part played by the women of the Confederacy and the position and attitude of the slaves. To this end, it traces the experiences of a typical Southern family behind the lines, from the time its men ride off to the war to the final months of the struggle.

The Dodder (Erpi)
No. 11-E 1R sound $1.50 el-jh-sh-c guide

The entire life story of the dodder, one of the best known of the group of parasitic flowering plants, is shown by means of time-lapse photography, accompanied by an explanatory narrative. Among the more impressive features is the presentation of the dodder twining about the host plant. Animation aids in revealing details in the structure and operation of the suckers. The destructive character of this plant is demonstrated, as well as the beauty of the flowers.

Dresden and Its Environs
No. 17-G 1R sound $.50 sh-c

Dresden and its environs are well-known for their art treasures and magnificent situation in the Elbe Valley. Surrounded by wooded and romantic Saxon Switzerland, Dresden presents a picture of extreme loveliness. The dialogue is in German.

Drinking Health
No. 2-F 2R silent $.50 jh-sh guide

New York's water supply and how it is purified. Importance of water and amount to be consumed daily. Giving water to football players, factory and office workers. Need for individual drinking cups and sanitary dishwashing.

The Earth in Motion (Erpi)
No. 12-E 1R sound $1.50 jh-sh-c guide

This film presents realistically the dynamic aspects of the earth as a planet. The earth's sphericity is demonstrated, while rotation is established by star trails and the Foucault pendulum. Proof of the earth's revolution about the sun is presented by motion of the sun in respect to stars and by the annual parallax of stars. The film concludes with phenomena associated with this revolution, such as characteristics of orbit, aphelion and perihelion, law of areas, inclination of axis, and seasons.

The Earth's Rocky Crust (Erpi)
No. 13-E 1R sound $1.50 jh-sh-c guide

This film presents Geology in its dynamic aspects and aims to show that the forces now changing the face of the earth are responsible for its present appearance. The basic fact of geology—the building up and breaking down of rocks and land forms—is graphically shown through presentation of the water cycle, the formation of rocks, and the crumbling of rocks. Animated diagrams, models and illustrative scenes are used in the film to present more clearly the subject matter.

ECW in the Great Smoky Mountains
No. 7-D 1R sound $.50 el-jh-sh-c

The work of the CCC in the national park which lies atop the purple high country of North Carolina and Tennessee with many scenes of the righest peaks east of the Mississippi. Mountain streams, wild flowers, and the life of the southern mountain people.

Electrochemistry (Erpi)
No. 14-E 1R sound $1.50 jh-sh-c guide

This picture portrays the electrolytic decomposition of hydrogen chloride and the production of electric current from the action of chlorine and hydrogen on platinum. An explanation of the storage battery integrates both processes. Electroplating illustrates participation of electrodes; electrorefining illustrates preferential discharge; and electrolysis of sodium chloride to yield caustic soda illustrates participation of the solvent. The production of aluminum from a molten electrolyte concludes the subject.

Electrodynamics (Erpi)
No. 15-E 1R sound $1.50 jh-sh-c guide

In this film direct photography demonstrates cause and effect, while animation explains the fundamental principles of current electricity and electromagnetism. Among the concepts presented are: Galvani's discovery of current electricity; magnetic field about a current carrying wire; magnetic field of a coil; electro-magnets; Rowland's experiment; magnetic hypothesis; recalescence; induction by a magnet; A.C. generator; D.C. generator; induction by an electric current; and transformers.

Electrons (Erpi)
No. 16-E 1R sound $1.50 jh-sh-c guide

By means of various photographic techniques, including animation, the hypothesis that electricity consists of unit elementary charges is supported by observation of phenomena associated with the conduction of electricity in liquids, gases, and vacuums. The conclusion drawn is that the fundamental unit of an electrical charge is the electron.

Electrostatics (Erpi)
No. 17-E 1R sound $1.50 jh-sh-c guide

This film deals with static electricity as fundamental to an understanding of the modern theories of electricity. It explains how postive and negative electrification are produced and by animated drawings shows the part played by insulators and conductors. Natural photography supplemented by animation gives a remarkable exposition of the movement of charges in the electroscope, the Compton electrometer, the static machine, and Nature's display of static electricity, lightning.

Energy and Its Transformations (Erpi)
No. 18-E 1R sound $1.50 jh-sh-c guide

Potential, kinetic and radiant energy, as manifested in mechanical, chemical, and thermal form, are vividly illustrated and explained. The principle of conservation of energy, and the concepts "power" and "work" are demonstrated in experiments. The film closes with a review of present and future sources of energy.

Evangeline's Haven of Peace
No. 8-D 1R silent $.25 el-jh-sh-c

Scenic and CCC work record in Longfellow-Evangeline Memorial Park, St. Martinville, Louisiana. Evangeline Oak, famous egret bird sanctuary, and other pictorial representations of country described in Longfellow's "Evangeline."

The Eve of the Revolution
No. 6-Y 3R silent $7.50 el-jh guide

Depicting the most significant incidents of the decade 1765-1775 and through these interpreting the state of mind of the people as the movement for independence gained impetus. In detail, recreating scenes incident to the Stamp Act and the stand against "Taxation without Representation." Also re-created are: Boston Massacre, the Boston Tea Party, the Salem Assembly, the rides of Paul Revere and William Dawes, Jr., the sharp military clashes at Lexington Green and Concord Bridge and the retreat of the British.

Flowers at Work (Erpi)
No. 19-E 1R sound $1.50 el-jh-sh-c guide

The parts and the physiology of plant flowers are artistically presented by animation. Time-lapse photography interspersed with animation then presents various types of flowers and different methods of pollination. Every important step is carefully covered in the narrative. The relation of insects to cross-fertilization of flowers is clearly illustrated. The picture closes by showing how man has modified the form of flowers by cultivation.

For a Changing Empire
No. 9-D 1R sound $.50 el-jh-sh-c

CCC work in the state and county parks of Georgia with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the state.

A Forest Playground
No. 10-D 1R silent $.25 el-jh-sh-c

(Patapsco, Md.) Scenic and CCC work record in Patapsco State Park, near Baltimore, Md.

Frankfort-on-Main
No. 18-G 1R silent $.25; No. 19-G 1R sound $.50 el-jh-sh-c guide

Frankford has been called the center of European culture and economic life. This film depicts a blending of old world glories and modern wonders.

The Frog (Erpi)
No. 20-E 1R sound $1.50 el-jh-sh-c guide

The frog, as the most representative amphibian, is here picturized. The entire life cycle of the frog is presented, aided by many stop-motion scenes and microscopic views. The development of the embryo is thus brought to the screen in a continuous scene of only a few seconds. The several changes taking place in the tadpole stage are carefully portrayed by picture and narrative. Slow-motion photography demonstrates the graceful movements of the frog in jumping.

The Frontier Woman
No. 7-Y 3R silent $7.50 el-jh guide

To portray the sacrifices of the women of the frontier and the part played by them in the making of our nation, this film re-creates the story of the settlement of Watauga in the Tennessee mountains in 1780.

From the Chronicles of Dinkelsbuehl
No. 20-G 2R silent $.50; No. 21-G 2R sound $1.00 el-jh-sh-c guide

A film, showing many picturesque spots of the thousand-year-old city, famous throughout the world as a rare example of medieval beauty. The picture ends with a historical pageant, which depicts a dramatic episode of the town's history in the Middle Ages.

Fundamentals of Acoustics (Erpi)
No. 21-E 1R sound $1.50 jh-sh-c guide

The phenomenon of hearing and the modification of sound between the source and the hearer are emphasized in this film. The specific elements explained or demonstrated are velocity of sound, refraction, range of hearing, lowering intensity, attenuation in air, eli-

minating high and low frequencies, reverberation and focussing of sound. Extensive use is made of animation and sound effects. The film concludes by indicating advances in communication which have resulted from combining our knowledge of sound and of electricity.

Fungus Plants (Erpi)
No. 22-E 1R sound $1.50 el-jh-sh-c guide

Major emphasis is given to the various mushrooms whose growth and reproduction are illustrated by time-lapse photography and animation. Molds and other fungi are also presented by these same techniques. The economic importance of these plants is definitely shown by both the photography and the narrative in their use as food, their destruction of dead organic matter and their cause of disease in plants. The picture has an unusual aesthetic appeal.

Garmisch-Partenkirchen
No. 22-G 2R silent $.50; No. 23-G 2R sound $1.00 el-jh-sh-c guide

German's most perfect winter playground was selected as the most suitable location of the V. Olympic Games. Champions of snow and ice are shown in breath-taking events of the European tryouts and finals for the past Winter Olympics.

The Gateway to the West
No. 8-Y 3R silent $7.50 el-jh guide

Suggesting the beginning in 1753 of the bitter conflict of the vast wilderness west of the Alleghanies between France, working South from Canada, and England, pressing westward from her seaboard colonies.

Geological Work of Ice (Erpi)
No. 23-E 1R sound $1.50 jh-sh-c guide

The sound film opens with a survey of significant but often overlooked examples of the gradational work of ice. Animated drawings are employed to explain the action of phenomena that cannot be demonstrated photographically. The major portion of the film is devoted to the story of glaciers, the types of glaciers, the formation of glaciers, glacial movement, gradation and transportation by glaciers, topographical results of glacial activities as evidenced by moraines, eskers, striated and grooved rocks, cirques, hanging valleys and fjords; and finally the Pleistocene ice age.

Germany—The Heart of Europe
No. 24-G 2R silent $.50; 25-G 2R sound $1.00 el-jh-sh-c guide

A short review of Germany today built on a background of history. A travelogue commencing with the arrival at a German port showing in rapid succession the beauty of historical Germany, alternating with the Germany of today.

No. 26-G 2R silent $.50; 27-G 2R sound $1.00 el-jh-sh-c guide

A pictorial trip through one of the greatest scientific museums in Europe. Many of the scenes show the details of actual operation of the scientific apparatus.

German Winter Sports
No. 28-G 5R sound $2.50 el-jh-sh-c guide

A series of five motion pictures dealing with winter sport activities. The films are highly entertaining as well as instructive to skiers and those interesting in skiing.

Glacier National Park
No. 11-D 2R silent $.50; No. 12-D 2R sound $1.00 el-jh-sh-c guide

The most spectacular of the national parks as seen by the camera from many angles and out-of-the-way places. Towering snow-covered mountains, sparkling lakes, and rambling Swiss Chalets.

Glimpses of National Parks
No. 13-D 2R silent $.50 el-jh-sh-c

Part I. Scenic glimpses and animal life in Yellowstone, Yosemite, Rocky Mountain and Grand Canyon National Parks.

Part II. Outstanding features in Glacier, Lassen Volcanic and Sequoia National Parks.

Ground Water (Erpi)
No. 24-E 1R sound $1.50 jh-sh-c guide

The story of "Ground Water" as revealed in the sound film indicates its importance in changing the earth's crust. The film brings to attention many phenomena that take place below the surface of the earth. Artesian wells, springs, water table, caves, and wells, are explained by animated drawings and illustrated photographically. Other phenomena such as geysers, springs, sink holes, petrifaction, concentration of useful minerals, and geode fillings, are explained and illustrated by outstanding examples in the United States.

Hamburg
No. 29-G 1R silent $.25 el-jh-sh-c guide

Hamburg with its canals and old buildings is Germany's second largest city and the Continent's largest seaport. Among the many interesting scenes of the old and the new Hamburg are shots of Hamburg at work and at play. The film also shows good closeups of the rare animals at Hagenbeck's world famous zoo.

Hands
No. 1-W 1R sound $.50 el-jh-sh-c guide

Through pictures of human hands in action, this short subject tells the story of the depression, shows the tremendous scope of the Works Progress Administration employment program and its marked

impetus to industrial recovery. It is the first documentary film ever to trace the circulation of money as it passes from the hands of the workman through those of the tradesmen into industrial marts.

Harz Mountains
No. 30-G 2R silent $.50; No. 31-G 1R sound $.50 el-jh-sh-c guide

The Harz is the highest mountain range in Central Germany. It abounds in magnificent forest, high plateaus and picturesque valleys. Close-ups of the world famous Harz Mountain canaries are among the scenes.

The Heart and Circulation of the Blood (Erpi)
No. 25-E 1R sound $1.50 jh-sh-c guide

This production deals with the mechanics of the pulmonary and systemic systems. Delineation of the heart action is shown by animation and natural photography. Amplified heart beat sounds and microscopic scenes of capillary action render the picture spectacular. Blood pressure and its relation to health is also vividly portrayed.

The Heart of the Confederacy
No. 14-D 1R sound $.50 el-jh-sh-c

Development and use of state parks around Montgomery and Auburn, Alabama, with side lights on the history of the Capitol of the Confederacy and college education in the south.

The House-Fly (Erpi)
No. 26-E 1R sound $1.50 el-jh-sh-c guide

The film tells the complete story of this common but extremely dangerous pest. The four stages of the fly's life cycle are shown—egg, larva, pupa, and adult. Its activities as a carrier of disease germs are presented vividly. The picture illustrates effective means for eliminating the fly menace. Special emphasis is laid on community action. This film is highly recommended for use in health education as well as in science.

How Nature Protects Animals (Erpi)
No. 27-E 1R sound $1.50 el-jh-sh-c guide

This film presents and describes various ways by which animals are provided with devices to conceal themselves, either for the purpose of protection, or as a means of securing food. Examples are given of natural protection through fleetness of foot, mimicry, protective coloration, armor and secluded homes. Included in the picture are the rabbit, raccoon, giraffe, tiger, lion, zebra, goat, pheasant, looper caterpillar and the beehawk moth.

Human Crop (Organized Camping)
No. 15-D 1R sound $.50 el-jh-sh-c

The story of the adaptation of worthless farm land into organized camps for underprivileged children, featuring the 15,000 acre Chopawamsic area between Washington and Richmond.

In Old Hessen
No. 32-G 2R silent $.50; No. 33-G 1R sound $.50 el-jh-sh-c guide

Picturesque Germany is at its best in these scenes of peasants dressed in their quaint costumes against a background of ancient buildings.

In the Wake of the Buccaneers
No. 16-D 1R sound $.50 el-jh-sh-c

Scenic and action treatment of the Island of St. Thomas, Virgin Islands. Complete musical background.

Jamestown
No. 9-Y 4R silent $7.50 el-jh guide

A faithful impression of the Jamestown settlement in 1612 under the stern rule of Sir Thomas Dale. The daily life of the colonists.

Land of Ten Thousand Lakes
No. 17-D 2R sound $1.00 el-jh-sh-c

CCC work in north central and southern Minnesota with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the state.

Land of the Giants
No. 18-D 2R sound $1.00 el-jh-sh-c

Scenic and CCC work record of state park development and extension in California. Areas covered—California Redwood, Humboldt Redwood, Calaveras, Mt. Tamalpais, San Jacinto Mountains, Rubicon, Prairie Creek, Big Sur, Cuyamaca, Morro Bay, and Russian Gulch State Parks.

Leaves (Erpi)
No. 28-E 1R sound $1.50 el-jh-sh-c guide

The film first suggests the significance of leaves to all life forms. Then animated drawings are employed to show the relationship of plant leaves to the other parts of a plant—roots, stems, and flowers. There is a rapid survey of several common types of leaves and of the essential parts of the typical leaf. Throughout the body of the film, microscopic views reveal cross-sections of leaves, thereby showing the arrangement of the leaf parts and the processes of the leaf. Animation is used to explain photosynthesis. In conclusion, the film reveals several plant structures which are essentially modified leaves.

Let's Study Glacier National Park
No. 19-D 2R silent $.50 el-jh-sh-c

The geological story of Glacier National Park, told in animation and direct photography.

Life Begins (Erpi)
No. 29-E 6R sound $9.00 sh-c guide

"Life Begins" is the culmination of 24 years of clinical practice and of research on problems of infancy at the Yale Clinic of Child Development under the direction of Dr. Arnold Gesell. For a decade, Dr. Gesell has made extensive systematic film records of the behavioi of babies under both clinical and domestic conditions and finally has incorporated his findings into "Life Begins."

In the introduction to the picture, Dr. Gesell directs attention to the need for a better understanding of the laws governing the infant's mental and physical growth, so that a happier social order may be developed. He proceeds to interpret the similarities, differences and characteristic ways in which infants react to standardized test situations; their everyday life, including sleeping, waking, dressing, bath, their plays and games, learning and emotional behavior, and social reactions to the family group,—all are commented upon in detail.

The picture concludes with pertinent comments by Dr. Gesell relative to the education and mental hygiene of infants and the obligation of science, home, school and society to promote the infant's welfare by periodical health examinations, and supervision of his mental growth.

Looking Back Through the Ages
No. 20-D 2R silent $.50 el-jh-sh-c

A detailed presentation of the archaeological story of Cliff Dwellers who formerly inhabited Mesa Verde.

Love of the Harmonica
No. 34-G 1R sound $.50 el-jh-sh-c guide

This is a musical film of great entertainment value. The photography is very good. We hear music comprising German folk songs played against scenic backgrounds. Some scenes show how harmonicas and accordians are manufactured.

Man Against Microbe
No. 2-M 1R silent $.25; No. 3-M 1R sound $.50 jh-sh

Covers three hundred years of progress in public health and medicine. It reveals Van Leeuwenhoek, the first man to see microorganisms through a microscope; Pasteur, with his new way of killing germs by heat and fighting other germs with vaccines. Lister demonstrates the third means of destroying germs—carbolic spray. The discoveries made by Robert Koch and Emile Von Behring are also shown.

Man Against the River
No. 2-W 1R sound $.50 el-jh-sh-c guide

This is a moving and powerful picture of the great Ohio valley flood of 1937.

The Masterdrink of Rothenburg
No. 35-G 2R silent $.50; No. 36-G 2R sound $1.00 el-jh-sh-c guide

Rothenburg's medieval splendor has endured through the ages. Its houses and streets, many of which are over a thousand years old, have not been changed by time. This film also shows a festival play "The Masterdrink of Rothenburg" which depicts many stirring scenes from the tragic Thirty-Years' War.

Mechanisms of Breathing (Erpi)
No. 30-E 1R sound $1.50 jh-sh-c guide

In this picture the breathing mechanism in operation is revealed. Technical animation portrays gaseous exchange in the lungs and body tissue cells, including pathological conditions. A demonstration of artificial respiration is provided. By means of animation and photography the nervous control of breathing and factors affecting rate and depth of breathing are shown.

Modern Industrial Methods
No. 1-S 4R silent $1.00 el-jh-sh-c guide

Part 1 takes up lumbering, part 2 cabinet making, part 3 mass production of interchangeable metal parts, and part 4 machine assembly and testing. It shows the manufacture of sewing machines from the sources of the raw materials to the finished product.

Molecular Theory of Matter (Erpi)
No. 31-E 1R sound $1.50 jh-sh-c guide

Evidence of molecular activity in gases, liquids, and solids is presented in support of the molecular theory of matter. Animated drawings explain such phenomena as the diffusion of gases, the evaporation of liquids, and the transformation of liquids into solids, in terms of the theory. Among the features of the film are the machine gun illustration of force exerted by molecules in motion, and the microscopic view of the Brownian movement, direct evidence of molecular motion.

The Moon (Erpi)
No. 32-E 1R sound $1.50 jh-sh-c guide

By means of animation and other cinematic devices this film presents dynamically the story of the moon. The difficult concept of tides is clearly explained, as are the phases of the moon. Other lunar phenomena explained by special cinematography and animation are: the moon's orbit; the lunar month; sunrise and sunset on the moon; occulation of stars; the moon's path in space; lunar eclipses; and solar eclipses with special reference to the eclipse of 1932.

Morristown National Historical Park
No. 21-D 1R silent $.25 el-jh-sh-c

A pictorial record of CCC activities in the restoration and preservation of this interesting historical area.

Moths (Erpi)
No. 33-E 1R sound $1.50 el-jh-sh-c guide

A large silk moth and the white-masked tussock moth are followed in detail through their life histories. The silk moth caterpillar is shown at work on the construction of its unusual cocoon. The secluded life of the female tussock moth is revealed. All the steps in their life cycles are portrayed. Attention is called to their economic importance. It is a fascinating picture of unusual interest and value.

Mountain Building (Erpi)
No. 34-E 1R sound $1.50 jh-sh-c guide

By employing animated drawings and models "Mountain Building" reenacts significant events in geological history. The subsidence of the land about the mouth of the Hudson River, the story of the Appalachian Mountains, and the spectacular Lewis Overthrust in the Rocky Mountains, are vividly portrayed. The film opens with a photographic survey of evidence which constitute the basis of these interpretations, and closes with a consideration of the significance of these phenomena to mining and structural engineering.

Mummies Reveal Their Secrets
No. 37-G 2R silent $.50; No. 38-G 2R sound $1.00 el-jh-sh-c guide

The poor families in Ancient Egypt buried their dead in paper caskets. Some of these caskets have recently been acquired by a Berlin museum to be dissected and the old records reclaimed. This film shows amazing insight into the life at that time.

A Nation-Wide System of Parks
No. 22-D 2R sound $1.00 el-jh-sh-c

Especially prepared for exhibit use at the San Diego Exposition. Classifies CCC work in parks under broad heading of Conservation, Restoration, and Rehabilitation. Work examples chosen from more than twenty states in the Union.

Natives of Glacier
No. 23-D 1R silent $.25 el-jh-sh-c

Intimate pictorial glimpses of the interesting types of flora and fauna of Glacier National Park.

Natives of Yosemite
No. 24-D 1R silent $.25 el-jh-sh-c

Scenes showing the interesting types of flora and fauna of the Park, closing with pictures of Yosemite Indians in native costumes.

The Nervous System (Erpi)
No. 35-E 1R sound $1.50 jh-sh-c guide

The structure of the nervous system, together with its pathways and connections is depicted. The nature of the nerve impulse; conditions for setting up impulses; their passage from cell to cell; their

discharge and resultant activity are shown along with reflexes, sensory integration, and finally, activity of the cerebrum.

Noerdlingen Anno 1634
No. 39-G 1R silent $.25; No. 40-G 1R sound $.50 el-jh-sh-c guide

The old 14th century fortifications of Noerdlingen with their moats, ramparts and towers are today in a state of almost perfect preservation. Against this background a pageant is enacted which depicts incidents during the Swedist occupation in 1634. This film is historically correct.

Oberammergau and The Passion Players
No. 41-G 2R silent $.50 el-jh-sh-c

Oberammergau is the famous Passion Play town. The great religious spectacle was performed for the first time in 1634. This film tells the history of the Passion Play and the life of the players.

Old Danish Sugar Bowl
No. 25-D 1R sound $.50 el-jh-sh-c

Unusual treatment of the remains of what was once a great industry in the Virgin Islands. Crumbling walls, abandoned machinery and empty fields with an historical background.

Old Lands—New Use
No. 26-D 1R sound $.50 el-jh-sh-c

CCC work in the state parks of South Carolina with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the state.

The Olympus Country
No. 27-D 2R silent $.50 el-jh-sh-c

Variety of scenic material, including mountains, trees, etc., photographed in proposed Mt. Olympus National Park, in the state of Oregon.

Once Upon a Time
No. 4-M 1R silent $.25; No. 5-M 1R sound $.50 el-jh-sh

An animated cartoon with musical symphonies (on the sound film) and shows a fairy-land setting used to emphasize the need of safety on the streets. Well-known fairy tale and Mother Goose characters become involved in the present-day types of street and highway accidents through the machinations of two bad goblins—"Carelessness" and "Discourtesy."

One Scar or Many
No. 6-M 1R silent $.25 el-jh-sh-c

This film deals with the disease of tuberculosis.

Outdoors in the Garden State
No. 28-D 2R silent $.50; No. 29-D 2R sound $1.00 el-jh-sh-c

CCC work in improving various public recreational areas in the State of New Jersey.

Oxidation and Reduction (Erpi)
No. 36-E 1R sound $1.50 jh-sh-c guide

The simultaneous process of oxidation and reduction is presented first by burning phosphorous and rusting iron under experimental conditions. Mercury rust is then decomposed to discover the component of air responsible for oxidation. Other examples of oxidation and oxidizing agents follow. The process of reduction is strikingly presented in the operation of the blast furnace, magnesium burning in dry ice, and thermite welding. Everyday examples of oxidation and reduction conclude the picture.

Panama Canal Zone
No. 2-Z 1R silent $.25 el-jh-sh-c

The story of a great engineering achievement, showing the method by which the canal is operated.

Parks Under the Lone Star
No. 30-D 1R sound $.50 el-jh-sh-c

CCC development under state parks in Texas with varied scenic views and an introductory history of the largest state in the Union.

A Peasant Wedding in Hessen
No. 42-G 2R silent $.50; No. 43-G 2R sound $1.00 el-jh-sh-c guide

Very interesting are the century-old marriage rites of Old Hessian villages. All the details of the ceremony are shown in this film, from the elaborate preparations of the bride to the transportation of her dowry to her new home.

The Percussion Group (Erpi)
No. 37-E 1R sound $1.50 jh-sh-c guide

Variety is the keynote of this picture showing as it does, not merely the traditional snare, base and kettle drums, but also the tambourine, cymbals, triangle, bells, and xylophone. The opening measures of music in this picture are played on the celesta—an instrument which pupils rarely have opportunity to examine. The camera brings each instrument close enough for detailed examination. Selections from Schubert, Chopin, Beethoven and Meyerbeer are used.

Peter Stuyvesant
No. 10-Y 3R silent $7.50 el-jh guide

A summary of the outstanding events from 1653 to 1664 which reveals how Dutch New Amsterdam became English New York. Life in the picturesque Dutch Colony under the stern rule of Stuyvesant.

Pilgrim Forests
No. 31-D 2R sound $1.00 el-jh-sh-c

CCC work in the state and county parks of New England with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the states.

The Pilgrims
No. 11-Y 3R silent $7.50 el-jh guide

The struggle for religious freedom as typified by the story of the Pilgrims. Starting with the experiences of the Separatists at Scrooby, England, their migration to Holland during 1607-08, and twelve years later the departure of the devout band for America.

Plant Growth (Erpi)
No. 38-E 1R sound $1.50 el-jh-sh-c guide

This film is a remarkable presentation of the growth of the pea plant. It shows by time-lapse photography and micro-photography the entire story from the time the seed first sends out its root and stalk until the ripened seeds are scattered. The processs of pollination and fertilization are vividly portrayed by means of photography and animation, while the accompanying narrative clarifies this mysterious process.

Plant Traps (Erpi)
No. 39-E 1R sound $1.50 el-jh-sh-c guide

Carniverous plants have the unusual characteristics of entrapping and digesting insects and other small animals. The film shows how the pitcher plant lures insects to its trap, where they drown. The sun-dew, another carnivorous plant, is shown throughout its life cycle. The enfolding of insects by its leaf tentacles is presented very impressively by means of time-lapse photography. The picture presents many unusual, interesting scenes.

Pond Insects (Erpi)
No. 40-E 1R sound $1.50 el-jh-sh-c guide

"Pond Insects" presents the dividing water beetle, the mayfly, and the dragonfly, as representative of this group of insects. Their life cycles are portrayed, as well as their food habits and struggle for existence. Among the events shown are the method by which the diving beetle lays its egg; a water beetle larva attacking a large tadpole; the mayfly molting after acquiring wings; the mayfly hiding from its enemies; and the remarkable mask of the dragonfly nymph.

Preventing Blindness and Saving Sight
No. 3-Z 2R silent $.50 jh-sh

Shows the causes of blindness, and the simple precautions which, if observed, will preserve the vision of many people.

The Puritans
No. 12-Y 3R silent $7.50 el-jh guide

The economic background of the Massachusetts Bay Colony. Life in early New England, 1630, contrasted with the court of Charles I.

Rain for the Earth
No. 3-W 2R sound $1.00 el-jh-sh-c guide

Dramatic, swift-moving scenes tell a gripping story of man's struggle with the drought in the Great Plains. Farmers in distress turn from idleness to the work of building dams and reservoirs to conserve the rain when it falls.

Reactions in Plants and Animals (Erpi)
No. 41-E 1R sound $1.50 jh-sh-c guide

After first characterizing the concepts of "stimulus" and "reaction," the film presents a study of different types of reactions in plants and animals. Directed reactions in a field of force (tropisms) are studied first; then higher reactions including reflexes and chains of reflexes lead up to a review of nervous system activity. Such reactions as geotropism, phototropism, stereotropism, galvanotropism, and rheotropism are studied in detail. Time-lapse photography is employed to illustrate geotropism (response to gravity).

Rhoenwheel Sport
No. 44-G 1R silent $.25; No. 45-G 1R sound $.50 el-jh-sh-c

Rhoenwheels are little known in this country but they are very popular in Germany. This film shows a rhoenwheel school for children as well as experts who manipulate these huge wheels with great skill. This fascinating sport requires perfect balance, poise and control.

Romance of Rayon
No. 4-Z 2R silent $.50 el-jh-sh

Shows the manufacture of rayon in a way that will interest every pupil. The boys and girls can figuratively tramp through the heart of the spruce woods for trees, watch them felled and floated down to the mills to be processed, gather fluffy cotton and guide the immense machines that spin the threads and weave them into shimmering cloth.

The Romantic Country of Castles
No. 46-G 1R silent $.25; No. 47-G 1R sound $.50 el-jh-sh-c guide

This picturesque film shows the romantic country of castles lying between the Neckar and the Tauber Rivers. Probably in no other part of Germany is one likely to find more enchanting scenery than this. From Heidelberg to Rothenburg proud castles and crumbling ruins beckon from the hills to the dreamy countryside below.

Roots of Plants (Erpi)
No. 42-E 1R sound $1.50 el-jh-sh-c guide

The various forms of plant roots are first presented. Then time-lapse and micro-photography are employed frequently in the remainder of the picture to bring out the interesting processes of growth, structure and other characteristics. The functions of the root-cap and the root-hairs are vividly presented. An experiment in osmosis is demonstrated and carefully explained, followed by an animation of water absorption by the roots.

Saving the Beauty of Alabama
No. 32-D 1R silent $.25 el-jh-sh-c

Scenic and CCC work record in Geneva State Park, Geneva County, near Hacoda. Old Creek, Indian trails, reforestation, and erosion control.

Saxony's Green Borderlands
No. 48-G 1R sound $.50 sh-c

This film shows that part of the former Kingdom of Saxony which borders on Czechoslovakia. It shows its summer resorts, its curative springs and beautiful landscapes. Included are also glimpses of people enjoying a variety of winter sports, which are very popular in this region. The dialogue is in German.

Science Makes a Dentifrice
No. 5-Z 1R silent $.25 el-jh-sh-c

Scientific laboratory and modern manufacturing development of tooth paste with world-wide travelogue scenes, scientific animation and microscopic action.

Seed Dispersal (Erpi)
No. 43-E 1R sound $1.50 el-jh-sh-c guide

The film presents many interesting ways by which seeds of plants are scattered in order to insure the propagation of the species. The methods illustrated include dispersal by the wind, transportation by animals, and forceful propulsion from the seed-case. The dramatic value of these examples is increased by the use of time-lapse photography. Attention is given to the germination of seeds under various conditions. The struggle for survival in the plant world is vividly portrayed.

Seeing Glacier National Park
No. 33-D 1R silent $.25 el-jh-sh-c

A movie trip to some of the most interesting scenic attraction of the Park.

Seeing Yosemite National Park
No. 34-D 2R silent $.50 el-jh-sh-c

Scenes in Yosemite, noted for the beauty of its waterfalls, valleys, monoliths, and sequoias; a year-round playground.

Shenandoah National Park
No. 35-D 1R silent $.25 el-jh-sh-c

Scenic views in Virginia's new national park, featuring the world-famous Skyline Drive.

The Silver Treasure of Lueneburg
No. 49-G 2R silent $.50 jh-sh-c

This film shows the beautiful and rare old silver vessels used by the people of Lueneburg during the Middle Ages and which are now housed in a Berlin museum. This collection of old silver made by the great craftsmen of Lueneburg is the only complete collection in Germany.

Sinews From the Soil
No. 36-D 1R sound $.50 el-jh-sh-c

CCC work on the north shore of Minnesota with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the State.

The Solar Family (Erpi)
No. 44-E 1R sound $1.50 jh-sh-c guide

In this picture the evolution of the solar system is revealed according to the planetesimal hypothesis. This is followed by a portrayal of the real and apparent motion of the planets. Among the special phenomena presented are: the phases of Venus; retrograde motion of Mars, Jupiter and its satellites; the apparent motion of Saturn's rings; orbits of the planetoids, Eros and Anteros; orbit of Halley's comit; and the motion of the solar system in space.

Sound Waves and Their Sources (Erpi)
No. 45-E 1R sound $1.50 jh-sh-c guide

This film demonstrates and explains several types of sound sources. The transmission of sound waves through the air is clearly visualized. The characteristics of sound waves, such as frequency, amplitude, wave length, fundamentals, harmonics, are vividly explained visually with acoustic accompaniment. The high-speed camera, animation, sound effects, and an oscilloscope are used to clarify these phenomena of sound.

Spiders (Erpi)
No. 46-E 1R sound $1.50 jh-sh-c guide

The nursery-web, the orb-web, the funnel-web, and the trap-door spiders appear in this picture. The complete life cycle of the first is presented, while the peculiar habits and characteristics of the others are shown. The construction of an orb-web is shown through every step of the procedure. The retreat of the trap-door spider is explained and illustrated pictorially. After showing the spiders as home builders there are scenes demonstrating their prowess as hunters or providers.

The String Choir (Erpi)
No. 47-E 1R sound $1.50 el-jh-sh-c guide

The picture opens with the string ensemble playing a selection from "L'Arlesienne" by Bizet. After the characteristics of the violin are explained a violinist renders a solo. The same procedure is followed for the other instruments. The camera is focussed at various angles to show technique involved in playing these instruments. A string quartet renders a part of the Haydn "Kaiser Quartet" and the picture closes with the scene of the Czardas from "Hejre Kati" by Hubay.

Stuttgart
No. 50-G 1R silent $.25; No. 51-G 1R sound $.50 el-jh-sh-c guide

The largest city in Swabia is situated on the Neckar River. The old town with its narrow lanes and the new town characterized by broad thoroughfares and modern buildings offers an interesting contrast. Stuttgart is also a modern industrial center.

Sugar (Rebuilding an Island Industry)
No. 37-D 2R sound $1.00 el-jh-sh-c

The story of the rebuilding of the sugar industry in the Virgin Islands interspersed with scenic beauty and intimate glimpses into the lives of the people of the Islands.

Summer Ends in the Rockies
No. 38-D 1R silent $.25 el-jh-sh-c

A pictorial record of CCC work in Rocky Mountain National Park, photographed in October, 1934.

Taming the Desert
No. 39-D 1R sound $.50 el-jh-sh-c

CCC work in the state and county parks of New Mexico with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, civic, and commercial features of the State.

The Tauber Valley—A German Idyl
No. 52-G 1R silent $.25 el-jh-sh-c

This travelogue shows the medieval towns which lie along the banks of the idyllic Tauber River, one of the loveliest rivers in Germany. From Wertheim on the Main to the world-famous town of Rothenburg on the Tauber we take a pictorial journey, both instructive and entertaining.

Teaching with Sound Films (Erpi)
No. 48-E 1R sound $1.50 sh-c guide

Based upon research and experimentation, this picture depicts methods of using the sound film in the classroom. Units of instruction at the intermediate, junior and senior high school levels are

shown. The parts played by the teachers, the pupils, and the sound film are illustrated in the study of "Plant Growth," "Sound," "Work of Rivers," and other subjects. Because of the need for professional knowledge in this field, this picture will make a substantial contribution to classes in teaching method and in audio-visual instructon, as well as to teachers in service.

A Thirty-Six Weeks Behavior Day (Erpi)
No. 49-E 1R sound $1.50 sh-c guide

The infant boy whose behavior day at 12 weeks was charted is now 36 weeks old. He has made striking progress. His reactions are compared with those which he experienced twenty-four weeks earlier. His responses to the ministrations of his father and mother are commented upon. Of particular interest is the portrayal of the very first successful creeping efforts observed during his efforts to advance upon and seize a ball on the floor. An animated clock announces the changing events of the day's schedule.

Tiny Water Animals (Erpi)
No. 50-E 1R sound $1.50 jh-sh-c guide

The life processes and activities of amoebae and paramecia are shown. The activities of the amoebae are given major emphasis. Reproduction of amoebae is presented on the screen. The film also reveals other interesting creatures, such as the wheel animalcule, chiloden, swan animalcule and stentor. Micro-photography makes this an unusually interesting picture. Only through motion pictures can such material be presented and clearly demonstrated to large groups.

Trees and Stones That Speak
No. 40-D 1R sound $.50 el-jh-sh-c guide

Record of CCC work in Alabama state parks.

A Trip Through Germany
No. 53-G 2R silent $.50; No. 54-G 2R sound $1.00 el-jh-sh-c guide

A pictorial trip through the Germany of today. Many aspects of the New Germany are here shown for the first time, while short sequences of medieval Germany afford interesting contrasts.

A Veteran of Three Wars
No. 41-D 1R silent $.25 el-jh-sh-c

CCC work incident to the restoration of Fort Frederick, near Hagerstown, Maryland, as the center of interest in one of the Maryland State Parks. Recording the historical importance of the Fort in relation to the French and Indian War, the War for Independence and the War Between the States.

Volcanoes in Action (Erpi)
No. 51-E 1R sound $1.50 jh-sh-c guide

Throughout the history of man, volcanic phenomena have stim-

ulated man's imagination. Today we realize, and this film demonstrates that even frightful volcanic phenomena operate in accordance with natural laws. The sound film presents by photography evidence of past volcanic action. Animated drawings combined with photography explain many of the more important phenomena of volcanism such as dikes sills, laccoliths, metamorphism; the products of volcanism including lava, cinder, and ash; causes and distribution of active volcanoes throughout the world.

Vincennes
No. 13-Y 3R silent $7.50 el-jh guide

The struggle for supremacy along the frontier when the American Colonies were fighting for independence in the east. Hamilton, British Governor-General of the Northwest, occupies Vincennes to curb the influence of westward-spreading pioneers.

The Vintager's Festival in the Palatinate
No. 55-G 1R silent $.25; No. 56-G 1R sound $.50 el-jh-sh-c guide

Folk festivals in Germany are famous. This subject shows the fall festivals which are celebrated after the grapes have been harvested in the Palatinate. Gay native dances and costumes lend color to the film.

A Visit to Mesa Verde National Park
No. 42-D 2R silent $.50 el-jh-sh-c

The most numerous, notable, and best preserved cliff dwellings in the world are in Mesa Verde National Park.

Water Lure
No. 43-D 1R sound $.50 el-jh-sh-c

Scenic and CCC work record in Warm Springs and Indian Springs State Parks, Georgia. Theme—importance of medicinal waters in cultural and recreational development of a country. Atmospheric shots of Warm Springs Foundation.

We Are All Artists
No. 6-Z 3R silent $7.50 jh-sh-c

A motion picture study designed to awaken in the average person an appreciation of beauty as an essential part of life. It presents a simple approach to the understanding of design and good taste.

The Wearing Away of the Land (Erpi)
No. 52-E 1R sound $1.50 jh-sh-c guide

Several important processes which result in the wearing away of the land at one place and the building up at another are vividly shown in this film. Scenes taken all over the world show processes and formations which succinctly tell the story. How the land is affected by chemical decomposition of rocks, glaciers, wind and waves is pre-

sented. Scenes at Carlsbad Cavern illustrate the formation of caves, and animated diagrams and aerial views show how the coast line is changed by the waves of the ocean.

We Work Again
No. 4-W 2R sound $1.00 el-jh-sh-c

This is a stirring and dramatic picture of Negro activities under the Federal work program. All types of workers—from the common laborer to the highly-trained technician—are shown at useful tasks under the Works Progress Administration employment program.

Where Trade Winds Blow
No. 44-D 1R sound $.50 el-jh-sh-c

A picture record of the CCC in the Virgin Islands showing general conditions and work projects. Narrative and interesting musical background.

White Sands National Monument
No. 45-D 1R silent $.25; No. 46-D 1R sound $.50 el-jh-sh-c

An interesting picture of White Sands, explaining what they are and how they happened. This picture contains many unusual desert and mountain scenes.

Winter Sun and Summer Sea
No. 47-D 2R silent $.50; No. 48-D 2R sound $1.00 el-jh-sh-c

CCC work in the state and county parks of Florida with a prologue and scattered sequences of atmospheric and location shots of important historic, topographic, and civic and commercial features of the state.

Wolfe and Montcalm
No. 14-Y 3R silent $7.50 el-jh guide

The bitter struggle between France and England in America, culminating in the Battle of the Plains of Abraham and the fall of Quebec in 1759. The acute situation in world politics which prompted William Pitt to send an army overseas under command of General James Wolfe.

Working for Dear Life
No. 7-M 1R silent $.25 el-jh-sh-c

Stresses in interesting story fashion the importance of having a thorough physical examination made annually.

The Work of the Atmosphere (Erpi)
No. 53-E 1R sound $1.50 jh-sh-c guide

"The Work of the Atmosphere" reveals the numerous ways in which the atmosphere plays a part in altering the earth's surface. The film shows how temperature variations and winds disintegrate rocks.

The movement of sand, loess, dust, and volcanic dust over great distances on the earth's surface is dramatically visualized. Then follows an explanation of the formation of soil and its significance.

The Work of Rivers (Erpi)
No. 54-E 1R sound $1.50 jh-sh-c guide

"The Work of Rivers" presents dramatically, yet simply, the erosion cycle of water on the earth's surface. The main story is introduced with a brief portrayal of the water cycle in nature. The main story is integrated by motion pictures, specially taken for the picture, presenting examples from many parts of the country. Models and animated drawings are employed to explain such special features as Niagara Falls, deltas, meanders, ox-bow lakes, rejuvenated rivers, lakes, water gaps and sand bars.

The Work of Running Waters (Erpi)
No. 55-E 1R sound $1.50 jh-sh-c guide

This film displays and analyzes the activities of the most effective agent of erosion—running water. Models and scenes from all parts of the world show how running water wears away the land. Many picturesque results of erosion are analyzed. To illustrate stream deposits there is included an unusually complete sequence on the formation of deltas and flood plains. This is splendidly illustrated by sand table models and aerial scenes of the Mississippi bottom lands.

Work Pays America
No. 5-W 5R sound $2.50 el-jh-sh-c

This is a dramatized record of accomplishments under the Works Progress Administration employment program. It is a moving human document showing public improvements and the conservation of human and natural resources.

Yellowstone National Park
No. 49-D 2R silent $.50; No. 50-D 2R sound $1.00 el-jh-sh-c

The natural wonders of the oldest and largest national park in the United States, featuring the geysers, hot springs, and the magnificent canyon—"Old Faithful"—in all her glory.

Yorktown
No. 15-Y 3R silent $7.50 el-jh-sh guide

The progress of the War of Independence between January and October, 1781. The hardships and suffering of the American troops. The problems facing General Washington due to discouragement and mutiny.

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EXTENSION BULLETIN
VOL. XVII OCTOBER, 1937 NO. 3

UNICAMERAL LEGISLATURES

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Debate Handbook

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UNIVERSITY OF NORTH CAROLINA EXTENSION BULLETIN
VOL. XVII OCTOBER, 1937 NO. 3

UNICAMERAL LEGISLATURES

Compiled by
E. R. RANKIN

Debate Handbook

Published six times a year, July, September, October, November, January, and March, by the University of North Carolina Press.
Entered as second-class matter October 19, 1921, Chapel Hill, N. C.

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THE HIGH SCHOOL DEBATING UNION

HISTORICAL SKETCH

The High School Debating Union was organized among the high schools of North Carolina by the Dialectic and Philanthropic literary societies of the University of North Carolina during the school year 1912-13. The query of that year was, RESOLVED, *That the constitution of North Carolina should be so amended as to allow women to vote under the same qualifications as men.* Ninety schools participated in the first annual state-wide debate, which was held on February 22, 1913. Sixteen schools won both debates and sent their teams to Chapel Hill for the final contest. The Pleasant Garden high school, represented by Grady Bowman and S. C. Hodgin, on the affirmative, won the Aycock Memorial Cup in the final debate on March 7, 1913.

One hundred and fifty schools took part in the second annual state-wide debate on March 20, 1914, on the subject, RESOLVED, *That the constitution of North Carolina should be so amended as to allow the initiative and referendum in state-wide legislation.* Forty-one schools won both of their debates and sent their teams to Chapel Hill for the final contest. The Winston-Salem high school, represented by Charles Roddick and Clifton Eaton, on the negative, won the Aycock Memorial Cup in the final debate on April 3, 1914. During the school year 1913-14 the High School Debating Union was incorporated as a regular feature of the work of the University Extension Division.

Two hundred and fifty schools took part in the third annual state-wide contest on March 26, 1915, on the query, RESOLVED, *That the United States should adopt the policy of subsidizing its merchant marine engaged in foreign trade.* Fifty schools won both debates and sent their teams to Chapel Hill for the final contest. The Wilson high school, represented by Misses Lalla Rookh Fleming and Ethel Gardner, on the negative, won the Aycock Memorial Cup in the final debate on April 9, 1915.

The query which was discussed in the fourth annual state-wide contest, which was held on March 31, 1916, was, RESOLVED, *That the United States should adopt the policy of greatly enlarging its navy.* Three hundred and twenty-five schools enrolled for the contest. Sixty-eight schools won both of their debates and sent their speakers to Chapel Hill for the final contest. Miss Myrtle Cooper and Boyd Harden, speakers on the affirmative for the Graham high school, won the Aycock Memorial Cup in the final debate on April 14, 1916.

Three hundred and thirty-one schools participated in the fifth annual state-wide debate, which was held on March 31, 1917, on the query, RESOLVED, *That the federal government should own and operate the railways.* Seventy-four schools won both of their debates and sent their debaters to Chapel Hill for the final contest. The Waynesville high school, represented by Vinson Smathers and Roy Francis, on the affirmative, won the Aycock Memorial Cup in the final debate on April 20, 1917.

The sixth annual contest centered around the query, RESOLVED, *That Congress should enact a law providing for the compulsory arbitration of industrial disputes.* Three hundred schools participated in the triangular debates on March 29, 1918. Sixty-six schools won both debates and sent their teams to Chapel Hill to enter the final contest. Thomas Burton and Will Anderson, representing the Wilson high school, on the negative, won the Aycock Memorial Cup in the final debate on April 12, 1918.

One hundred and eighty schools enrolled for the seventh annual state-wide debate on April 4, 1919, on the query, RESOLVED, *That the United States government should adopt a policy requiring one year of military training for all able-bodied men before they reach the age of 21.* Forty-one schools won both of their debates and sent their teams to the University for the final contest. The Durham high school, represented by Miss Aura Holton and Leo Brady, on the negative, won the Aycock Memorial Cup in the final debate on May 2, 1919.

Two hundred schools participated on April 14, 1920, in the eighth annual state-wide debate on the query, RESOLVED, *That the United States should adopt a policy of further material restriction of immigration.* Forty-four schools won both of their debates and sent their teams to the University to take part in the final contest. The Asheville high school, represented by Arthur Kale and Clifton Ervin, on the affirmative, won the Aycock Memorial Cup in the final debate on April 28, 1920.

Two hundred schools participated in the ninth annual state-wide debating contest on April 1, 1921. The query was, RESOLVED, *That the policy of collective bargaining through trade unions should prevail in American industry.* Fifty schools won both of their debates and sent their teams to the University for the final contest. Miss Eunice Hutchins and Ludlow Rogers, of the Durham high school, representing the negative, won the Aycock Memorial Cup in the final debate on April 15, 1921.

Two hundred and fifty schools took part in the tenth annual state-wide debate on March 24, 1922, on the query, RESOLVED, *That the United States should enter the League of Nations.* Sixty schools won both of their debates and sent their teams to Chapel Hill for the final contest. The Durham high school, represented by Linwood Hollowell and Freeman Twaddell, on the negative, won the Aycock Memorial Cup in the final debate on April 7, 1922.

Two hundred and fifty schools participated in the eleventh annual state-wide debate on March 31, 1923, on the query, RESOLVED, *That Congress should provide for the enforcement of decisions of the Railroad Labor Board.* Sixty schools won both of their debates and sent their teams to the University for the final contest. The Elizabeth City high school, represented by Misses Ellen Mellick and Mary Dozier, on the negative, won the Aycock Memorial Cup in the final debate on April 13, 1923.

Two hundred and fifty schools took part in the twelfth annual state-wide debate on March 28, 1924, on the query, RESOLVED, *That the inter-allied war debts should be cancelled.* Seventy-one schools won both of their debates and sent their teams to the University for the final contest. The Wilson high school, represented by Miss Catherine Ware and Fred

Carr, on the affirmative, won the Aycock Memorial Cup in the final debate on April 11, 1924.

Two hundred and thirty-five schools entered the thirteenth annual state-wide contest on March 27, 1925. The query was, RESOLVED, *That North Carolina should ratify the port terminals and water transportation act.* Sixty-five schools won both of their debates and sent their teams to Chapel Hill for the final contest. Miss Catherine Ware and Fred Carr, of the Wilson high school, representing the negative, won the Aycock Memorial Cup in the final debate on April 10, 1925.

Two hundred and twenty-four schools took part in the fourteenth annual state-wide debate on April 2, 1926, on the query, RESOLVED, *That North Carolina should levy a state tax on property to aid in the support of an eight months school term.* Sixty-seven schools won both of their debates and sent their teams to the University for the final contest. The Winston-Salem high school, represented by Misses Mell Efird and Loretto Carroll, on the negative, won the Aycock Memorial Cup in the final debate on April 16, 1926.

Two hundred and twenty-three schools participated in the fifteenth annual state-wide debate on April 1, 1927, on the query, RESOLVED, *That Congress should enact the Curtis-Reed bill, providing for a federal department of education.* Sixty-seven schools won both of their debates and sent their teams to the University. Harry Gump and Henry Biggs, of the Greensboro high school, representing the affirmative, won the Aycock Memorial Cup in the final debate on April 20, 1927.

One hundred and ninety-five schools entered the sixteenth annual state-wide debate which was held on April 6, 1928. The query for that year was, RESOLVED, *That Congress should enact the McNary-Haugen farm relief bill.* Fifty schools won both of their debates and sent their representatives to the University. The Washington Collegiate Institute, represented by Henry Roper and Hal Hopper, on the negative, won the Aycock Memorial Cup in the final debate on April 20, 1928.

One hundred and ninety-six schools participated in the seventeenth annual state-wide contest on April 5, 1929, on the query, RESOLVED, *That the United States should join the World Court.* Fifty-nine schools won both of their debates and sent their teams to Chapel Hill. Floyd Adams and Shearod Crumpler, of the Roanoke Rapids high school, representing the negative, won the Aycock Memorial Cup in the final debate on April 19, 1929.

One hundred and eighty-six schools took part in the eighteenth annual state-wide contest on April 4, 1930, on the query, RESOLVED, *That North Carolina should adopt the proposed constitutional amendment, authorizing the classification of property for taxation.* Fifty-one schools won both of their debates and sent their teams to the University. The Goldsboro high school, represented by Miss Eleanor Bizzell and Ezra Griffin, on the negative, won the Aycock Memorial Cup in the final debate on April 18, 1930.

Two hundred and eighteen schools entered on April 3, 1931, the nineteenth annual state-wide contest on the question, RESOLVED, *That the United States should grant immediate independence to the Philippines.*

Fifty-two schools won both of their debates and sent their teams to the University. Miss Marian Weil and Ezra Griffin, of the Goldsboro high school, representing the negative, won the Aycock Memorial Cup in the final debate on April 17, 1931.

Two hundred and fourteen schools took part in the twentieth annual state-wide contest on April 1, 1932, on the query, RESOLVED, *That the United States should adopt a system of compulsory unemployment insurance.* Fifty-five schools won both of their debates and sent their teams to Chapel Hill. The Curry high school, represented by Miss Katherine Keister and Nash Herndon, on the negative, won the Aycock Memorial Cup in the final debate on April 15, 1932.

Two hundred and fifteen schools entered the twenty-first annual state-wide debate on March 31, 1933, on the query, RESOLVED, *That North Carolina should adopt the sales tax as a feature of its state system of revenue.* Fifty-one schools won both of their debates and sent their representatives to Chapel Hill. The Broughton high school, of Raleigh, represented by Miss Katherine Martin and Wade Marr, Jr., on the affirmative, won the Aycock Memorial Cup in the final debate on April 14, 1933.

Two hundred schools participated in the twenty-second annual state-wide high school debate on March 30, 1934, on the query, RESOLVED, *That the United States should adopt the essential features of the British system of radio control and operation.* Forty-five schools won both of their debates and sent their teams to the University. The Thomasville high school, represented by Miss Katherine Covington and A. C. Lovelace, Jr., on the affirmative, won the Aycock Memorial Cup in the final debate on April 13, 1934.

Two hundred and twenty-five schools took part in the twenty-third annual state-wide high school debate on March 22, 1935, on the query, RESOLVED, *That the United States should adopt the policy of extending federal aid to general public education.* Sixty-eight schools won both of their debates and sent their teams to Chapel Hill. The Goldsboro high school, represented by Powell Bland and Maurice Edwards, on the affirmative, won the Aycock Memorial Cup in the final debate on April 12, 1935.

Two hundred and twenty-seven schools participated in the twenty-fourth annual state-wide high school debate on March 27, 1936, on the query, RESOLVED, *That the several states should provide for the socialization of medicine.* Sixty-four schools won both of their debates and sent their teams to Chapel Hill. The Kinston high school, represented by Miss Rose Pully and Miss Minetta Bartlett, on the affirmative, won the Aycock Memorial Cup in the final debate on April 17, 1936.

Two hundred and thirty-three high schools participated in the twenty-fifth annual state-wide high school debate on April 2, 1937, on the query, RESOLVED, *That the government should own and operate all electric light and power utilities.* Sixty-three high schools won both of their debates and sent their teams to the University. The Weldon high school, represented by Miss Frances Johnson and Philip Moore, on the

affirmative, won the the Aycock Memorial Cup in the final debate on April 22, 1937.

THE QUERY FOR 1937-38

The query which will be discussed this year by the high schools holding membership in the High School Debating Union of North Carolina is, RESOLVED, *That the several states should adopt a unicameral system of legislation.* The high school debating leagues of approximately thirty-five states will discuss the subject of unicameral legislatures in their spring contests during this scholastic year. It is the hope of the central committee that the twenty-sixth annual state-wide debating contest, dealing with this important subject, will prove one of the most successful contests which have yet been held. The attention of debaters and of all others interested is directed to the statement of the query, with the accompanying explanations and limitations of the meaning of the query, on page 12 of this handbook.

The thanks of the compilers of this debate handbook are extended to the publishers and authors who very kindly gave permission for the reprinting of articles included in the handbook.

REGULATIONS

1. The University Extension Division of the University of North Carolina will suggest a query, to be discussed on a given date by the schools entering the High School Debating Union.

2. All secondary schools of North Carolina, however supported, offering regularly organized courses of study above the seventh grade, and not extending in their scope and content beyond a standard high school or secondary school course, shall be eligible for membership in the High School Debating Union.

3. The schools accepting this offer and thus becoming members of the Union shall be arranged into groups of three for triangular debates, the status and standards of the schools, their proximity, accessibility, and convenience of location to be considered in forming the groups.

4. Each school of every triangular group shall agree to furnish two debating teams of two members each, the one to uphold the affirmative side of the query, and the other to defend the negative side.

5. The members of the debating teams must all be bona fide students of the schools they represent. To be bona fide students, they must be in regular attendance at the time of the debate, and they must have been in regular attendance for at least 30 per cent of the school year up to and including the date of the debate, and they must have made passing grades on a majority of the studies in some regularly organized course of study.

6. No post graduate of a school—that is, no student who has already finished a four-year high school course—shall be eligible to represent his school in the contest. This shall not serve, however, to debar those students who are in upper classes in school systems modeled after the junior-senior plan (offering a five-year high school course) unless those students have already been graduated from, or awarded diplomas by, the schools which they are now attending or other high schools. If

such students have been graduated already, or awarded diplomas, they are, of course, ineligible to compete.

7. No student who became 21 years of age on or before September 1, 1937, shall be eligible to represent his school in the high school debates of the High School Debating Union.

8. The usual plan of procedure for the triangular contests will be for the affirmative teams to debate at home and for the negative teams to visit. However, whenever a plan for holding the debates on neutral grounds is favored by at least two member schools of a given triangle, then the debates of that triangle will be held on neutral territory.

9. The schools themselves shall select and agree upon the judges of the local contests.

10. Each speaker shall have twenty minutes at his disposal, not more than fifteen of which shall be used in the first speech.

11. In the debates of the High School Debating Union, the order of the speakers in the first speech shall be: affirmative, negative, affirmative, negative. The order of speakers on rejoinder shall be: affirmative, negative, affirmative, negative. It is understood, however, that there is no objection to a reversal of this order of speakers on rejoinder in any given local debate, provided that such a reversal of order shall have been definitely agreed to beforehand by responsible authorities of both schools which are concerned in the given local debate.

12. The schools which shall win both of their debates shall be entitled to send their teams to the University to compete in the final contest for the Aycock Memorial Cup. It is understood, however, that the committee may arrange for an additional contest among the winning schools throughout the state prior to the final contest at the University, should this plan appear to be necessary under the circumstances.

13. In the event that one school of a triangle drops out and the committee at Chapel Hill is unable to secure a school to take its place, then the two schools remaining shall hold a dual debate with one another, each school sending its team on the negative to the other.

14. In the event that two schools of a triangle drop out of the Union and the committee is unable to secure schools to take their places, then the remaining school shall be declared the winner over the others by their default.

15. The school having the strongest team on the affirmative side of the query and the school having the strongest team on the negative side shall be entitled to contest publicly at the University for the Aycock Memorial Cup. (The strongest team on each side of the query is to be determined by means of preliminary contests in debate at Chapel Hill. After a contestant has been eliminated in a preliminary at Chapel Hill in this year's final contest, the contestant will not be permitted to change sides and participate further in this year's final contest.)

16. The school which shall win the debate, thus finally held, shall have its name inscribed on the Aycock Memorial Cup, together with the names of its two winning representatives.

17. Any school which shall win the final contest for two years in succession shall have the cup for its own property.

18. All contestants are expected to prepare their own speeches with legitimate assistance of the teachers, principals, or superintendents in their school systems. Legitimate assistance is interpreted to mean oral advice, suggestions, discussions, and criticisms.

SUGGESTIONS AS TO JUDGES

1. The judges should be disinterested parties to the success of either team and, so far as possible, should be non-local.

2. They should sit apart during the debate.

3. They should judge the contest as a debate, and at its conclusion should vote "Affirmative" or "Negative" on the merits of the debate. They should not consider the merits of the question.

4. Each judge should sign and seal his vote and deliver it, through an usher, to the presiding officer who should publicly open the votes and announce the decision.

Before the debates begin, a copy of these suggestions should be given to each judge for his guidance.

ORIGINALITY OF DEBATES

The committee realizes that "The debate which a speaker produces should be his very best; but it should under no circumstances be better than his best; that the success of the Union will be seriously hindered unless in each instance the speech of a debater represents his own individual work." It wishes, therefore, to ask the principals to give this matter their very careful consideration and to note particularly regulation 18. In cases where necessary, the principals in the various triangles should take such action among themselves as they deem necessary. Great care should be taken by all means to see to it that wherever a speaker uses any quoted material, proper credit is given in his speech to the source from which the quotation was derived.

For further information, address

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QUERY

RESOLVED, *That the several states should adopt a unicameral system of legislation.*

EXPLANATIONS AND LIMITATIONS

For the purpose of clarity of issue in the debates of the High School Debating Union of North Carolina, the following explanations and limitations of the meaning of the query are distinctly set down:

1. It is understood that the statement of the query contemplates that the several states of the United States should, each of them, adopt a one-house legislative system.

2. It is understood that the statement of the query does not involve the legislative branch of the national government.

3. It is understood that any question as to the constitutionality of the proposed plan for the unicameral system of legislation is to be waived from the discussions in the debates of the High School Debating Union.

GENERAL REFERENCES

NEBRASKA'S UNICAMERAL ADJOURNS

(An article in State Government, volume 10, pages 131-134, July, 1937.)

With the first session of the Nebraska unicameral legislature a matter of history, the way is open for an appraisal of the results of the first experiment with a one-house state legislature. The term "experiment" is used with some misgiving. Senator George W. Norris, "father" of the unicameral, dislikes the word used in describing what he has referred to as his contribution to the state which has honored him so often. Nevertheless, those who are friendly to the plan, as well as those inclined to skepticism, look upon it as an experiment. Only the strongest supporters of unicameralism in Nebraska claim the first session justified the state's voters in abandoning the traditional bicameral legislature. Likewise, only the firmest believers in orthodox political science claim the first session proved that a one-house law-making body is a failure by comparison. The great mass of citizens, as well as the most experienced observers, lying between these two extremes, yet look upon the unicameral as an experiment, with its full strength, its greatest weaknesses, to be demonstrated.

State Government, in this article, presents a symposium of appraisal of the recent session. It has been Governor Cochran's duty to pass upon all legislation enacted by the unicameral. Senator Norris, sponsor of the new plan, states his views of the accomplishments of the first session of the legislature which he labored to establish. Two of those participating in the symposium are among the 43 men comprising the Nebraska senate, as it was officially designated. Senator Emil M. Von Seggern is publisher of one of his state's most successful county seat weeklies, The West Point Republican. Senator O. Edwin Schultz of Elgin is a successful farmer. Like Senator Von Seggern, Senator Schultz is serving his second term in the legislature, having participated in three sessions.

The fifth participant in this discussion is Mr. Kenneth Keller, veteran Lincoln newspaper-man. Mr. Keller covered the unicameral session for his paper, The Lincoln Star.

The participants' statements follow:

Governor Robert L. Cochran

Much credit is due the forty-three members who sat in Nebraska's first unicameral legislature. Theirs was a difficult task; faced not only with the problem of putting into operation an untried system of law-making, they were confronted also with a large number of legislative questions. The chief difficulty, perhaps, that developed arose from the nonpolitical character of the legislature. This resulted in a lack of responsible leadership, which intensified the difficulties. The members of the legislature, however, applied themselves to their tasks earnestly and succeeded in a way to reflect credit upon them.

It is impossible to pass sound judgment on the merits of a unicameral legislature with so little practical knowledge of this method of

lawmaking. Time and experience alone will afford us a proper basis upon which to judge the single-chamber legislature as against the bicameral system. In my judgment, it will require several sessions of the unicameral legislature before an intelligent appraisal may be made of it. It is possible that experience will recommend some modification of the present arrangement in Nebraska.

SENATOR GEORGE W. NORRIS

In my opinion, the Nebraska unicameral legislature which recently adjourned has demonstrated beyond the possibility of a doubt the great superiority of the one-house legislature, as compared with the old two-branch legislature. There has not been an instance during this session where this legislature could have indulged in the old familiar dodge of "passing the buck" from one house to the other, and from both houses to the conference committee. Every member had an increased responsibility and realized as never before the responsibility of his position. The possibilities are that the next unicameral legislature will be superior to the present one for the reason that the people will have had an opportunity to vote out of office any member who, in their judgment, has proved false to his trust.

Any person who expected the millennium to follow the setting up of the one-house legislature will of course be disappointed. There has been considerable criticism of this legislature, some of it honest, constructive, some of it selfish, and some of it without any foundation whatever. However, honest men and women who realize that perfection cannot be had by any body of men are satisfied, and this is far superior to the record made by any previous legislature in the history of Nebraska.

SENATOR EMIL M. VON SEGGERN

That a unicameral legislature can function has been demonstrated by the Nebraska legislature, the first of its kind. This experiment in legislating obviously charged the members of the first session with the duty of blazing a trail. They had to adopt rules that fitted into the new plan, rules which would provide checks and balances better than those of the two-house system.

In order to be safe, the legislature decided to go slowly. Though the system of legislating had been changed, human nature had not. The same kind of legislation was demanded, the same kind of bills introduced, as in previous years. Anticipating this, the 43 members adopted rules to prevent hasty legislation, to provide safeguards against those known human weaknesses. As a consequence, in their zeal, the senate leaned the other way, and the rules as finally adopted proved to be obstacles to reasonable dispatch in consideration of measures.

The constitution provides that six legislative days must elapse from the time a bill is introduced before it can be voted upon for passage. The senate rules extended this time to twelve days. Even with all rules suspended on behalf of important bills at the close of the session, adjournment *sine die* was delayed an entire week. Under the two-house

system bills were rushed through both houses in one day in the hectic last days.

Much could be said pro and con on the subject of lobbying. It is important to remember that while the lobbyist had fewer lawmakers to deal with, which may have made it easier for him, he could not avoid placing his friends on the spot. His allies on the floor were plainly known in the unicameral, and not concealed as in the two-house sessions. Thus the lobbyist was brought out in the open and occupied the same spot as his law-making allies.

The problems which confronted the unicameral were much the same as those faced by its predecessors; so the proposed solutions were very much the same as formerly. This affords a reasonable basis for comparison. When everything is considered, the facts will show that the unicameral handled these problems as effectively as did previous sessions, if not more so.

On the other hand, much progressive legislation which failed in the two-house session many times was enacted by the unicameral. Included in the progressive measures voted were submission of a constitutional amendment for a short ballot and a legislative council.

It seems to be the general opinion that a one-house legislature is desirable. If the future shows necessity for change, it will not be reversion to the two-house system, but improvement of the one-house plan.

SENATOR O. EDWIN SCHULTZ

In discussing the success of the unicameral legislature, one should consider first the arguments advanced for the plan's adoption. Its proponents insisted it would do away with the evils of the conference committee; cost less; no member would be able to shirk his responsibilities; legislation would be speeded; personnel would be of a higher type and better legislation would result.

Definitely, what evils the conference committee may have had are done away with. Instead, however, organized minorities exerted pressure unknown before. It is conceded generally, by members as well as others, that many bills of a special nature were enacted by the unicameral body which would have died in a two-house session.

As predicted, each member had to face responsibility squarely on each measure. There was no opportunity to vote one way on a bill, and trust to the other house to take the opposite course.

There is no doubt that the membership of the unicameral was of a higher type. It is questionable, however, if the legislative product was of a better grade. Many bills, which failed of passage in previous sessions, encountered little difficulty with the unicameral. These measures were of the special interest brand.

The unicameral received most of its criticism from the length of the session, and rightfully so. The checks provided in the law and the rules against hasty legislation are desirable and proper. In my opinion the cause of the delay lies with the standing committees—their failure to report out important legislation. Chicken-feed bills were turned out while important measures languished until late in the session and then

were sped through without proper consideration. The unicameral has not overcome this objectionable feature of the bicameral legislature.

Why not require that important measures be reported out within a certain number of days—bills such as the budget, social security, law enforcement, and other matters of general importance? All bills should be classified as to their importance, and considered in that order.

It is my opinion that there is nothing in the way of rules or procedure employed by the unicameral legislature that could not have been practiced by the two-house legislature. I think the most satisfactory feature of the unicameral is its non-political character. Absence of the party whip allows consideration of measures on their merit, and not because of partisan necessity.

It is impossible to pass final judgment upon the success or failure of the unicameral after but one session. It will require two, or even three to determine whether the experiment will prove successful.

KENNETH R. KELLER

Like the fellow who believed the salesman when he said, "This radio will give you perfect reception," a great many Nebraskans were due for inevitable disappointment with their unicameral legislature. It worked all right—fine in fact. But some of the static was still there. They simply haven't learned how to tune it.

The unicameral legislature was oversold. When a great majority shouted for the change back in 1934, the opposition was silenced. With inauguration of the new plan, the people expected a super-human governmental device, largely through newspaper ballyhoo. Scribes said: "This is Senator Norris' child. This is swell."

Almost everybody forgot that the streamlined legislature was composed of just ordinary men—lawyers, farmers, merchants, and a doctor and a banker or two thrown in to give a consultive flavor.

As the first session drew to a close after four and a half months, almost every senator when asked for his criticism replied: "We should have a larger senate, anyway fifty senators, perhaps a hundred."

It is doubtful if these senators wanted to make the change immediately. Probably they would be willing to continue the experiment as it is for at least two more sessions.

Whatever else can be said, the unicameral legislature moved the session from hotel rooms to the capitol.

The non-partisan character of the legislature made it difficult for many of the members. Many were party leaders in their communities, yet they were able to pull themselves away from the party magnet. It is true, the old party split showed up occasionally, but due perhaps more than anything else to the fact that in the legislature were a few party warhorses of years of battle.

Here are some statistics which may be of value in affording a comparison between a single-chamber and a two-chamber legislature:

	1935 Bicameral	1937 Unicameral
Cost	$202,500	$150,000
Bills introduced	1,056	581
Bills passed	192	210

Vetoes	6	18
Length of session	110 days	98 days

In all probability, future sessions will be shorter, since a month was required to organize the first unicameral.

But look at the vetoes. It cannot be denied that the senators put more responsibility upon the governor, hence gave him greater power. The first unicameral looked to the governor to act as "the other house." That may wear off in time, but it is doubtful.

As for the lobby, it had power, plenty of it in the first session; but everybody knew it. One of the important lobbyists said: "It's different working with the unicameral, but it isn't easier."

The unicameral made a great improvement in committee work. Every senator was a member of at least two committees—some three. Every senator had a committee meeting every day, but only one. On the other hand, the procedure on the floor left much to be desired.

If you are thinking of equipping your state with a unicameral legislature, please remember that new diningroom furniture does not give the family better table manners. Papa and Mama Taxpayer, though, should find it easier to spot the dirty hands against the snowy linen.

UNICAMERAL LEGISLATURES

(Excerpts from "Unicameral Legislatures," Editorial Research Reports for June 25, 1937, prepared by Bryant Putney.)

While Nebraska's newly-created unicameral legislature was holding its first session this year, establishment of similar one-house legislative systems was proposed in the legislatures of no fewer than 22 other states, as follows: Arkansas, California, Colorado, Georgia, Idaho, Iowa, Kansas, Maryland, Michigan, Minnesota, Montana, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, Texas, Washington, Wisconsin, and Wyoming. A measure providing for a unicameral system was defeated by the lower house of the Arkansas legislature in January, by a vote of 16 to 73, on the ground that it represented "a step toward dictatorship." A similar measure failed of passage in the Wisconsin assembly, late in April, by a margin of only eight votes. Proposals for adoption of the unicameral system were killed in committee in other legislatures, most members contending that no action should be taken until the Nebraska experiment had demonstrated its usefulness.

The Nebraska single-house legislature was created under the terms of a constitutional amendment adopted by the voters of the state in 1934. Since then, widespread interest in the unicameral system has been evidenced. During 1935, proposals for abolition of the bicameral system were advanced in 17 states, and creation of single-house legislatures was recommended by Governor Moeur of Arizona and the late Governor Olson of Minnesota.

Creation of a unicameral legislature in Massachusetts was advocated by Governor Curley in a message to the 1936 state legislature. Pointing out that members of the two houses of the legislature were elected from "duplicate constituencies," Curley declared that there was "no basis for two chambers." A measure providing for establishment of

a single chamber composed of 140 members was subsequently defeated in the lower house of the legislature.

Establishment after the Revolution of bicameral legislatures in all the new American states except three—Pennsylvania, Georgia, and Vermont—resulted from the influence of three factors: (1) the example of England's two-house Parliament; (2) colonial experience with the governor's councils; and (3) the prevailing theory of checks and balances. Some writers ascribe acceptance of the bicameral principle entirely to the force of the tradition provided by the mother country, but it seems likely that the two other factors were at least of equal importance.

In the colonial governments, the royal governor and his legislative council generally had represented aristocratic elements, and lower houses had been established to satisfy the demands of the freemen for a voice in government. The theory of checks and balances, derived from the writings of Locke and Montesquieu, was based on the proposition that government was at best a necessary evil and that governmental powers must be divided between the legislative, executive, and judicial departments to prevent official tyranny. The excellence of government increased in proportion as the number of checks increased, and therefore a bicameral system, which allowed one house to veto the acts of the other, was thought to be superior to the unicameral plan.

While there is general agreement that the bicameral plan has operated to advantage in the case of the federal government, many authorities in the field of legislative organization recommend the substitution of unicameral for bicameral legislatures in the states. It is worthy of note, however, that many of the criticisms of the working of the bicameral system in the states apply with equal force to the operations of the national legislature.

The traditional arguments in support of the bicameral plan have been that it (1) provides for representation of different social and economic groups; (2) permits representation of both territorial areas and population; (3) assures a higher standard of legislation by providing a check in one house against haste and carelessness in the other; (4) makes corruption doubly difficult.

With regard to state legislatures in the United States, the first advantage no longer exists. Under the earlier state constitutions there were higher property qualifications for membership in the state senate, and sometimes for the privilege of voting for senators, than in the lower branch, so that the two houses were elected by different constituencies and represented different social and economic groups. But this distinction has now virtually disappeared. Practically the only differences between the two branches are those of age and tenure of office; suffrage qualifications are identical.

The example of the federal government with regard to representation of both territorial areas and population is now followed only in Maryland, Montana, New Jersey, and South Carolina, in which each county is given equal representation in the senate, and in Rhode Island, in which equal representation in the senate is given to townships, with representation in the lower house based on population. In Connecticut,

the federal system is reversed, representation in the senate being based on population, while the lower house is constituted on the basis of territorial divisions. In most other states representation in both houses is based on population. Opponents of bicameralism maintain that representation by area in state legislatures is unnecessary because of the infrequency of conflict between the interests of neighboring counties or townships. Divergent interests are more often found among occupational than among territorial groups.

Many authorities deny that the existence of two chambers is a guarantee of careful and adequate consideration of public measures.

Lack of haste in reaching legislative decisions is as likely to mean procrastination as careful consideration, it is said, nor does consideration by two houses necessarily mean double consideration. Investigations made of the work of the New York, Illinois, and Wisconsin legislatures indicate that a decided tendency exists for bills which have passed one house to pass the other with little change. A study of the 1910 session in New York state revealed that of 1,036 bills passed by the state senate, only 69 were rejected by the assembly; and of 1,120 passed by the assembly, only 161 were rejected by the senate. Thus, 14 per cent of the assembly bills were killed by the senate, while 6 per cent of the senate bills were killed by the assembly. Of the 967 bills which passed both houses, 505 passed the second house without change.

In 1919 the lower house of the Illinois legislature killed 25 per cent of the bills passed by the senate, while the latter killed only 9 per cent of the bills originating in the house. In 1921 the corresponding figures were 45 and 11 per cent. In 1919 the Wisconsin senate and assembly each killed 13 per cent of the bills originating in the other branch, and in 1921 each house killed 17 per cent. The majority of the bills which failed of passage in both the Illinois and Wisconsin legislatures were of small importance.

A study of the 1933 legislative session in Nebraska indicates a greater check between houses than was shown in the earlier investigations. The study indicated also that, unlike the experience in New York and Wisconsin, the lower house provided the greater check. Of 178 senate bills, the house rejected 105, or 59 per cent; of the 133 bills originating in the house, only 33, or 25 per cent, were defeated in the senate. This contravenes the earlier theory that the upper house would constitute a barrier against the "democratic recklessness" of the lower. But it is apparent that the mere number of bills which failed of passage does not provide an adequate index as to the importance of the check provided by either house.

Many authorities believe that if a second chamber is to act as a revising body it should be specially constituted for this purpose.

The quality of legislation could be improved, it is believed, by the establishment of some sort of commission of revision as an ancillary body to the legislature. Such a commission should be made up of outstanding persons in the fields of commerce, agriculture, engineering, banking, and industry, and its powers should be purely advisory in character. It should examine legislation and suggest changes. Since it would

have only advisory powers, and since it could not be considered as a second chamber, the responsibility of the legislature would not be lessened.

Discussion of the question of legislative organization in Nebraska was engendered by the report of a joint committee of the 1913 legislature. The report set forth that the bicameral system was unsuccessful because "in practice it has been found that the so-called check between the two houses results in deadlock and the absence of real responsibility which should be felt by representatives of the people." The committee urged the abolition of one house. No further action was taken on the 1913 report until the constitutional convention of 1919-1920, when a proposal for a unicameral amendment was defeated by a vote of 47 to 43.

After 1920, the unicameral movement in Nebraska was supported by Senator Norris, who continued to press for adoption of the system until the fall of 1934, when the issue was placed before the voters in the November elections by means of an initiative petition. A constitutional amendment providing that beginning in 1937 legislative power should be vested in a single house was adopted by a majority of 93,000 votes.

Although the original amendment drafted by Senator Norris in the autumn of 1933 provided for a unicameral legislature of only 21 members, to be paid $2,400 a year, the amendment adopted by the voters of Nebraska in 1934 provided for a membership of not less than 30 nor more than 50 legislators. The total annual appropriation for salaries was limited to $37,500. At its final session, in 1935, the bicameral legislature established the membership of the new legislature at 43, thus allowing for individual salaries of $872 a year, or $1,744 for the two-year term. Traveling expenses to and from each regular and special session also were provided for. The 100 representatives and 33 senators in the old bicameral legislature received salaries of $800 for a full term.

THE LEGISLATURE OF TWO HOUSES

(Excerpts from Walter F. Dodd's "State Government," published by D. Appleton-Century Co., 1923, pages 156-161. Reprinted by permission.)

In all of the American states, legislative power is exercised by a body composed of two chambers. With the exception of Pennsylvania (1776-1790), Georgia (1777-1789), and Vermont (1777-1836), the bicameral system has prevailed since the adoption of the first state constitutions. In the colonies the legislature generally consisted of two houses, the one composed of members chosen by the voters, and therefore representing the popular element in the colony; and the other composed of members appointed by and representing the British crown, though in at least three of the colonies this difference of representation in the two houses did not exist.

It was natural that the framers of the first state constitutions should continue the organization of their legislatures in two houses. The organization of the national legislature in two houses in 1787 has helped to maintain the two-chambered legislative organization in the states; although in the state legislatures there has not been the definite reason for organization in two houses which exists in the federal system. There

has been a good deal of discussion in recent years of the proposal to adopt a single-chambered legislature. It is argued that there is little actual difference in the basis of representation in the two houses, and that legislative bodies composed of two chambers are cumbersome and ineffective. Constitutional amendments for the organization of legislative bodies composed of but one house were proposed in Oregon in 1912 and 1914, in Oklahoma in 1914, and in Arizona in 1916. All of these proposed amendments failed.

Governor Hodges of Kansas, in a message to the legislature of that state in 1913, urged the adoption of a single house, and said: "Two years ago I suggested a single legislative assembly of thirty members from thirty legislative districts. I am now inclined to believe that this number is too large, and that a legislative assembly of one, or at most two, from each congressional district would be amply large. My judgment is that the governor should be ex officio a member and presiding officer of this assembly, and that it should be permitted to meet at such frequent and regular or adjourned sessions as the exigencies of the public business may demand; that their terms of office be for four or six years, and that they be paid salaries sufficient to justify them in devoting their entire time to the public business." Governor Hodges' proposal was, of course, an extreme one, for he had in mind not merely the adoption of a single-chambered legislature, but also that this legislature should consist of a small group of more or less permanent expert legislators. The proposals in Oregon, Arizona, and Oklahoma did not go so far, and no plan such as that suggested by Governor Hodges has been submitted to the voters of any state. The plan submitted in Oregon in 1912 contemplated a single-chambered legislature, of which the governor should be a member, and of which the minority candidates for the governorship should also be members, with voting power proportionate to the votes they received as candidates. The Oregon plan contemplated that the single legislative body should consist of sixty elective members with terms of four years, and that the actions of this body should be subject to the initiative and referendum.

In advocacy of a single-chambered legislature it has been argued that the real differences between the two houses of state legislatures have disappeared. In the early constitutional history of the American state, distinctions were in a number of cases made between the two houses, through higher property qualifications not only for the members, but also for those who voted for members, of the smaller of the two bodies. The Massachusetts constitution of 1780 provided that in apportioning senators the general court of that state should "govern themselves by the proportion of the public taxes paid by the said districts." The same plan was adopted for its senate by the New Hampshire constitution of 1784, and still exists in that state. However, the chief differences between the two houses in the American states at the present time are that one house has a smaller number of members than the other, and that in a majority of states senators are elected for four years and representatives for two years. In some states, one-half of the members of the senate are elected every two years, so that the sen-

ate has continuous membership, as contrasted with the house, whose membership changes as a whole at each election. In Alabama, Louisiana, and Mississippi, however, four-year terms have been provided for members of both houses; and a number of states have a two-year term for members of both houses. In these states the difference between the two houses is substantially immaterial.

To some extent, however, differences in the powers of the two houses still exist. In some states, constitutional provisions remain by which financial measures must originate in the lower house; and in most of the states the senate has certain powers with respect to confirmation of executive appointments. The provisions for impeachment of public officers also ordinarily prescribe that charges shall be brought by the lower house and tried by the senate. Some of the matters constituting differences in the powers of the two houses do not relate to their purely legislative functions; and on the whole it may be said that, from the standpoint of legislation, the two houses of the American state legislature have equal powers and in no way represent different points of view in the community. Distinct differences that existed in many states in earlier times have substantially ceased to exist.

It is properly said that the present state legislative organization is cumbersome, and that such a type of organization is not necessary for a legislature with powers that are distinctly subordinate to the powers of the national government. Often members of one house of a state legislature cooperate with the members of the other for the purpose of defeating legislation in such a manner that the responsibility for action cannot be fixed. The bicameral system makes it more difficult to place the responsibility for action or inaction in the field of legislation than if the legislature were organized as a single chamber.

It has also been urged that bills passed by one house of a state legislature are in most cases passed by the other house as a matter of course, and without amendments; and there seems some basis for this argument, at least in New York and some other states. However, this statement does not apply to all of the state legislatures. An examination of the legislative work of the Illinois general assembly, covering the sessions of 1907, 1909, 1911, and 1913, indicates that each house exercised a fairly decisive influence in that it defeated about one out of five of the bills passed by the other house. The influence of each house, in preventing the adoption of bills passed by the other house, results in this state in the actual defeat of more legislation than does the governor's veto, although the veto power has been actively exercised in Illinois during recent years.

It is true also of many state legislatures that a large proportion of the bills passed by one house fail because of inaction of the other house rather than because of an actually negative vote. It is also true that bills passed by one house are in a great number of cases amended before passage by the other house, and finally become law either as so amended or with amendments that resulted from action taken by the second house. It is substantially impossible to work out a statistical table illustrating the influence of one house upon the actual form of bills passed by the

other, but this influence must be taken into consideration in weighing the advantage of state legislative organization in two houses. The organization of legislative bodies in two houses does, however, permit the shifting of responsibility, and it is clear that in many state legislatures the members of both houses will frequently obtain a record upon the journals of favoring a particular type of legislation, although the majorities of both houses were at all times certain that no such legislation should be enacted.

In favor of a single-chambered legislature, it is argued that such a proposal is not a radical one, and that the unicameral system has been adopted in most of the states that go to make up other federal governments. In the United States all of the states have two-chambered legislatures. In the Australian commonwealth, five states have the bicameral system. Queensland abolished its upper house in 1922. In Argentina the majority of the provinces, which correspond to our states, have the two-chambered system, but some have legislative bodies of only one house; and in most of the individual states of the other Latin-American federations the unicameral plan prevails. In Germany, before the war, fifteen of the twenty-five states had single-chambered legislatures. All of the cantons of Switzerland, which operate under the representative system, have single-chambered bodies. In the Dominion of Canada, only two of the nine provinces have two-chambered legislatures. Since the Civil War, there has been a decided tendency in all of the larger cities of this country away from the city council composed of two houses; and the city council composed of only one house has worked more satisfactorily than the older plan.

Where the two chambers of the state legislature represent different interests in the community, this fact of course constitutes an argument for this type of legislative organization. In some states today one chamber represents a rather distinct interest as against the other. It is sufficient here to point out that in some states there is a gross inequality of legislative representation in one or both of the state legislative bodies. Where one house of the legislature is composed of members apportioned in fair relation to the population of the state, and the other house is composed of members elected in local areas in such a manner as to represent a distinct minority of the population, there exists an actual difference in the basis of the organization of the two houses; and this difference, although to a very great extent unjustifiable, does, so long as it exists, constitute perhaps something in the way of a reason for the maintenance of two houses.

NEBRASKA PRUNES HER LEGISLATURE

(An article by Lane W. Lancaster in Current History, volume 41, pages 434-436, January, 1935.)

Until last November one of the few American political institutions to escape the experimenters was the two-chambered state legislature. But this immunity ended when the voters of Nebraska adopted at the fall elections a constitutional amendment which provided that, begin-

ning with 1937, the state legislative power shall be vested in a single house of not fewer than thirty nor more than fifty members.

When Nebraska became a state the makers of its constitution accepted without question the two-house system which prevailed throughout the country. Until 1913 only occasionally did any one seriously question the wisdom of the bicameral legislature that had always been a part of our traditional system of checks and balances.

In recent years Nebraska has had a house of 100 members and a senate of 33 which have served jointly as a statute mill. Each body was chosen by all the voters; the members of both were elected for a two-year term and were paid the same salary. Except for the confirmation of appointments, the functions of the senate duplicated those of the house, though the senate was usually more conservative since its membership tended to be more stable and more experienced. Eccentric self-proclaimed tribunes of the people were less numerous in the senate than in the house. As in other states a bill to become a law had to pass each house in precisely the same form; differences were settled by a conference committee which had practically plenary power over questions in dispute. About 1,000 bills on an average were introduced at each legislative session and of these about 350 reached the statute book, a large proportion during the closing days of the session. The bickering, back-scratching, logrolling, horseplay and general blowing off of steam to which democratic assemblies are addicted existed in Nebraska as in other states.

Discussion of a unicameral legislature was first heard in Nebraska in 1913 when a joint committee of the house and senate reported in favor of a single-chamber body. But the report was forgotten until the constitutional convention of 1920, when a proposal for such a change was defeated by a vote of only 47 to 43. Afterward the idea was ventilated at various times, though nothing like a movement developed. Senator George W. Norris, however, had made the one-house legislature a hobby. Almost to him alone is due the initiation and conduct of the recent state campaign for the new amendment.

Senator Norris was wise in choosing 1934 to test public sentiment. Not only was experimentation in the air, but a rather general feeling of indignation and disgust filled Nebraskans after the legislative session of 1933. The people's representatives that year had gone to the capital protesting loudly their intention to pass few laws, to talk little and to return home in time for the spring plowing. They ended by passing nearly 200 acts, talking a great deal of childish nonsense, and holding one of the longest sessions on record. Unseemly wrangles were frequent; the legislature fumbled with taxation and appropriations, liquor regulation and legislative reapportionment. Moreover, Governor Bryan's serious illness deprived an overwhelmingly Democratic membership of what might otherwise have been shrewd and prudent leadership. The effect upon the public was unmistakable; many citizens felt that no future legislature regardless of its form could possibly be worse.

The Norris amendment, as it is known in the state, provides that the 1935 legislature shall divide the state into not fewer than thirty nor

more than fifty districts, in each of which a member shall be elected on a nonpartisan ballot for a term of two years. The total appropriation for salaries shall not exceed $37,500 per year. Thus, if the new body should have fifty members, each would receive an annual salary of $750; if thirty, each would receive $1,250. By providing that salaries shall be paid annually it is hoped that since members will receive a monthly salary throughout their term they will feel a continuing responsibility.

The larger membership of fifty, it is generally expected, will be decided upon, for during the recent campaign there was little support, especially in the rural regions of the state, for the smaller number. Many of Senator Norris' advisers believed that a nonpartisan election would weaken the case for the proposed amendment when it came before the people, but actually this provision received slight consideration during the campaign. While politicians may have been hostile to the idea it was obviously hard for them to argue openly against it.

Supporters of the amendment had a telling argument in their contention that special interests would be able to exert less influence over a single, small body. In Nebraska very few people accept the notion that a lobby is a necessary or even salutary supplement to an imperfect representative system. Among those still devoted to Populist ideas stump speakers are always sure of applause when they attack the "interests" and charge them with corrupting the legislature. A single house, by simplifying the law-making process and by compelling the members to record their votes without hope of having them revised by another body or modified in conference, may compel the "interests" to devise new techniques. That it will destroy their influence is probably expecting too much.

One of the points urged against the amendment was that farmers would be inadequately represented in a body so much smaller than the present legislature. Only rich men, it was said, could afford to campaign over the larger electoral districts. Moreover, would not a single body fall more easily under executive domination? Finally, the opposition contended, the greater importance of each member would lead to a flood of bills. A small body would tend to be more extravagant; lobbies would find the new legislature easier to control; hasty and ill-digested legislation would result from such a concentration of power. Few of these arguments had much weight with the voters because Senator Norris and his supporters succeeded in creating in the minds of the electorate the picture of a small, businesslike body of experienced legislators, solely responsible for law-making and at work under public surveillance.

All the familiar devices of voting "Yes" for "the record" in one house while manoeuvring for a reversal in the other, and of using the largely unfettered power of the conference committee to mold legislation in dispute between the houses, were skillfully explained to audiences only too ready to believe the worst of the "interests" which are popularly supposed to benefit by a complicated system. Ultimately the contest was between those who favored the new system as more simple and responsible and those who opposed it as an unwise departure from

conservative principles. The public voted for simplicity and responsibility.

As in nearly all American elections, various factors were present which were unrelated to the merits of the issue. Thousands of conservative voters, for example, never examined the evidence but voted "No" because they disliked Senator Norris and all he stands for. Others voted "Yes" because of their faith in him. The issue was further complicated by the presence on the ballot of two other popularly initiated measures —repeal of the state prohibition amendment and the legalizing of pari-mutuel betting. It was widely rumored that the friends of repeal and pari-mutuel betting, to make sure that their followers would answer those questions in the affirmative, passed the word down the line to vote "Yes" in every case. Opponents of the amendment spoke sentimentally of the "wisdom of the fathers," and warned the people not to discard too quickly what time had tested. The followers of Senator Norris retorted with comparisons between the ox-cart age and the era of the airplane, and pointed to the successful experience of the Canadian provinces with single-chamber assemblies.

Experience with a one-house legislature is unlikely to bear out the most confident predictions of either side in the recent Nebraska controversy. Such devices as the direct primary, municipal home rule, direct election of senators and the initiative and referendum have been on the whole less radical than conservatives feared and less effective than progressives hoped. In the heat of debate men are deluded into believing that what they urge is "fundamental"; when their "reform" is a reality they find that it fails to reach the heart of the problem.

The case for a single-chamber legislature must rest largely on other arguments than that it will help oust the "special interests." It may, for example, be a better instrument for doing the work of the American states which tend to become only the administrative units of a national system. Important decisions affecting personal and social security are becoming more and more national in scope. Even if there may be some reaction in the form of states' rights agitation, the problem of the states will consist largely of fitting to their own peculiar needs the broad lines of a policy determined in Washington.

Such a development means the progressive scrapping of the familiar paraphernalia of debate and conference, checks and balances, and all the rest of the traditional parliamentary machinery of a pre-industrial age. More and more state legislatures will tend to become bodies concerned with questions to the solution of which old-time parliamentary democracy has little to contribute. Business and social groups have developed the lobby as a flexible instrument with which to present their views to legislative bodies. The creation of a single chamber legislature is a belated example of a similar inventiveness in politics.

LEGISLATIVE ASSEMBLIES

(Excerpts from "Legislative Assemblies," a pamphlet by Mulford Winsor, 1932, pages 1-3.)

There is no more fascinating occupation than the study of legislative bodies. The beginnings of ancient law-making assemblies—of Sparta's "Gervasia" and Assembly of Dorians, the Assembly and Council of Four Hundred at Athens, Rome's Senate of Elders and Comitia Curiata, Germania's Tribal Assembly, Charlemagne's Imperial Assembly, Saxon England's Witenagemot—furnish material for chapters of absorbing interest. The struggles of peoples through the centuries to enlarge the powers of these instrumentalities, to strengthen them as means of defense against oppression and tyranny, their constantly changing forms, and the ebb and flow of freedom's tide as gauged by them, constitute a vivid and thrilling background to the consideration of modern legislative systems and procedure. For the purposes of this discussion the barest allusion, and that merely by way of introduction, will suffice.

It is not to Greece, nor Rome, nor Germania, nor Gaul, that we must look for the prototype of this country's law-making bodies. If the form early assumed by the legislative assemblies of the American colonies, given to the federal Congress, and adopted as the structure of our State legislatures was consciously borrowed from any source at all, it was from the mother country, England. A respectable number of very distinguished writers and students assert that such was the case. Certain it is that there were points of similarity, of which the division into two houses, each sitting separately, each possessing a veto over the acts of the other, was the most significant and important, and has a historical bearing upon the question of the respective merits of the one-house and the two-house legislature, or the unicameral vs. the bicameral plan.

England's Parliament, during America's colonial days, was a two-house body, each house having equal rank, power and authority. That it was so was probably a matter of chance rather than premeditation, accident rather than design. It had not always been so. The Witenagemot of the Anglo-Saxons, Parliament's progenitor, was at first simply a great assemblage of the king's friends and leading men, a gathering which, so far as its legislative functions were concerned, only confirmed what the king decreed. Its character changed as its influence grew. When King Edward in 1295 called a Parliament, it was made up of representatives of six "estates"—nobles, prelates, lower clergy, knights, citizens, and burgesses. They came together as a single body, but so repugnant were their social stations, so dissimilar their interests, so at variance their views, that gradually they gravitated into two groups—nobles and clergy in one, knights, citizens, and burgesses in the other. So came the house of lords, representing the nobility, and the house of commons, representing the people. Other European countries had a similar experience, though Spain and France in mediaeval times had three houses, Sweden four, while Scotland adhered to one.

When the American colonies bethought themselves to consider their welfare in terms of the laws by which their colonies and their indivi-

dual lives were ordered, they had before them the example of England's two-house Parliament. It is not unreasonable to suppose that as a model, a system that was in existence and being utilized by the people of their own race, it exercised an influence. But there was a more potent influence, which might well have shaped their legislative structure in the form it came to have even though the British Parliament had been of an altogether different fashion.

Although the colonies had no nobility and no estates, as had England, they had nevertheless two equally distinct ranks—the aristocracy and the common people. The governor, appointed by the king at the instance of the proprietors, represented the former. The governor's council, a small body of men selected by the proprietors to advise and assist the governors, did not represent the latter. Such at first was the governmental organization, executive and legislative, of the colonies. Of course this state of affairs could not long satisfy the colonists. They demanded a voice in their government, and in a manner not unlike the rise of the house of commons in England, there grew up a lower house, an assembly, house of representatives, house of delegates, or house of burgesses, as it was variously called, composed of members elected by the freemen, with a veto upon the acts of the council. This, barring variations and details, to say nothing of a number of lapses, is roughly the history of the rise of the bicameral legislative system in the American colonies. There is not much evidence to support the theory that the system was premeditated, or consciously patterned after any other; none to indicate that considerations of its efficiency as a legislative organ entered in. The system was simply a development directed by the times and conditions. The question that mattered was one of expedience only —the control of colonial policy on one hand, protection of the rights of the colonists on the other. That no political principle was involved is seen in the readiness of either side to favor that plan which for the moment aided its cause. If the colonists were assured, through superior numbers of elected members, of predominance in an assembly sitting as a single house, they were not slow to urge that course. If the governor, by calling in a sufficient number of additional councilmen, could hold the balance of power, he was ready to favor if not to insist upon a single body, in which event the colonists would as strongly insist upon the two houses sitting separately, with the lower house having a veto upon the acts of the upper.

After the colonists threw off the British bonds the same two classes of citizens still divided the populations, the same clash of interests persisted. Naturally the example set by the colonies prevailed in the formation of state legislative bodies, with this difference, that widespread distrust of rulers influenced the investing of legislatures with practically unlimited power, while governors were reduced to mere figureheads. Everywhere the legislatures were double-chambered, with three short lived exceptions—Georgia, Pennsylvania, and Vermont. The power of example and the old question of expediency determined the matter. Efficiency was as yet no doubt an exceedingly minor consideration, though principles of the science of government, under the stimulus of

foreign agitation, were enjoying a measure of discussion. Advocates of a single-house legislature, while in the minority, were not entirely wanting. Benjamin Franklin was one of these. He is said to have compared a two-chambered legislative assembly to a cart with a horse hitched to each end, both pulling in opposite directions. William Penn shared his view. Several French statesmen whose names figure large in the events of the early nineteenth century advocated a one-house legislature, but French trials of the plan, on a national scale, were brief.

In the discussions accompanying organization of the new American states two-house legislatures were advocated by numerous leading statesmen, among them John Adams and John Jay. The affirmative arguments resolved themselves into two: first that the plan would give representation to the whole people, one house to the minority or aristocracy, the other to the majority; second, that it would insure a more deliberate procedure in the enactment of laws. Hasty and ill-considered legislation, unnecessary and corrupt legislation, it was claimed, would have less chance of passing two houses than one alone. However, many of the ablest spokesmen for the bicameral plan tempered their advocacy, or coupled it, with a frank expression of their belief that unless the houses were differently constituted and their members chosen by different means, on a different basis, with different qualifications and tenure, so that they would be truly representative of the two classes of the country's citizenry, the advantages of the system would be nullified.

Following the adoption of the constitution of 1787, and its authorization of a two-house Congress, state after state followed the example thus set and entered the union with a bicameral legislature, until the bicameral system—product of a historical accident—came to be regarded, like the theory of the separation of powers, as an axiom of American political science. During the period from the close of the revolution to the beginning of the present century a long line of distinguished statesmen and writers on the science of government upheld the principle. Among the names appear those of Chancellor Kent, Justice Story, John Stuart Mill, Bluntschli, Francis Lieber, W. E. Lecky, George W. Burgess, and others. The views of these authorities were of course expressed in different language, and by no means coincide in every particular, but the arguments they advanced in advocacy of the bicameral system may be reduced to these propositions:

1. That it permits representation of areas as well as population. 2. That one house serves as a check upon the other, tends to more careful deliberation, and to prevent hasty and ill-considered legislation. 3. That each house will remedy the defects in legislation passed by the other. 4. That there is less inclination to accumulate governmental power into its own hands. 5. That it affords a means of granting representation to different classes and interests.

TWO HOUSES—OR ONE?

(Excerpts from an article in State Government, volume 7, pages 207-208, October, 1934.)

Incorrigible pryer into all things legislative, the American Legislators' Association this month turned an inquisitive glance toward the problem of one-house legislatures. At the impending test election in Nebraska, citizens of that state will record their votes for or against the Norris-sponsored, one-house plan which is described on pages 209 and 210 of this issue. What Nebraskans think will soon be no secret. To find what non-Nebraskans think, the association adopted the simple expedient of asking.

A post card inquiry was sent to the following groups: all members of Congress; all of the 1900 state senators and an equal number of state representatives, evenly distributed among the states, but including all members of the Nebraska house of representatives; 300 newspaper editors; about one third of the members of the American Political Science Association—the first 500, selected alphabetically; the first 200 names on a list of business executives compiled by the United States Chamber of Commerce; the first 200 names on the membership list of the American Bar Association; the first 200 names on a list of bankers supplied by the American Bankers Association; 200 directors of governmental research bureaus; the first 200 names on a membership list of the American Association of University Women; the first 200 members on a list of American Federation of Labor delegates; and a list of 200 members of the National League of Women Voters supplied by the league.

The question was stated as follows:

Do you think that one-house state legislatures would or would not be preferable to two-house legislatures?

The ballots were not accompanied by any arguments pro or con, nor by any explanatory information which might have tended to influence the voters. The results of the poll in percentages were: for one-house legislatures, 41%; against one-house legislatures, 59%.

The spectacular feature of the vote is this: every group of individuals who had had actual legislative experience voted "No" by a heavy majority. United States senators and representatives voted "No" nearly 3 to 1; state representatives 2 to 1; state senators 3 to 1; Nebraska legislators 3 to 1. But professors of government and other persons engaged in governmental research voted "Yes" by an even heavier majority—4 to 1 or 5 to 1. The combined totals of all groups showed a vote against one-house legislatures of 3 to 2.

Among the many elaborative comments with which the ballots were embroidered, the undemocratic character of one-house legislatures was the most frequently cited objection. American Federation of Labor delegates voted: 64 per cent for a single house; 36 per cent against it. Members of the American Bankers Association voted 31 per cent for a single house; 69 per cent against the plan. Can it be that A. F. of L.

has gone aristocratic, that bankers and business executives are slipping leftward?

Members of the American Political Science Association voted 85 per cent strong for a single house. No promoters, the university professors who compose this group have apparently failed to convert their feminine students to their views; for the university women gave an edge of only 52-48 to the professorial choice.

Honorable mention and a free vote in the Nebraska election is accorded Paul R. Leach of the Chicago Daily News. Among all of the editors who participated in State Government's preliminary guessing game, Mr. Leach estimated most accurately the outcome of the poll. The mental intricacies of political scientists, governmental experts, women voters are no mystery to him. He thought that the favoring percentage in each case would be 85. Actually it was 85, 82, and 73 respectively. Based on his estimates, the combined favorable vote of all legislators would have been 33 per cent; actually it was 29 per cent. Mr. Leach went badly awry only in reversing the positions taken by capital and labor on this issue. He assumed that 90 per cent of the members of the American Bankers' Association, 90 per cent of the business executives would favor the single-house plan, and that only 33 per cent of the American Federation of Labor representatives would do so.

Sauce to the meat was added by hundreds of spontaneous comments. The surprising amount of vehemence unleashed indicates that the issue is a live one to both friends and to foes of unicameralism. One embattled contributor saw in the plan the first step toward placing Senator Norris upon the throne of Nebraska. Another, assured of some sinister link between a one-house legislature and the House of Morgan, concluded with the ringing appeal: "For God's sake, give the people a break."

Among the less impassioned responses were many recommendations for smaller legislatures—whether composed of one or of two houses. Staunch bicameralists pointed out that in some states the two houses would permit representation by area and by population, thus satisfying both urban and rural elements.

Typical of still another attitude is a letter from Morton Denison Hull—former state legislator, former Congressman. He writes:

"I can see nothing in our experience justifying the preference of the one-house over the two-house legislature . . . The American people are very prone to believe that political results are attributable to the system, and that by changing the system they can improve the results. While within limits this may be true, broadly speaking the corruptions and the incorruptions of our public life are the corruptions and incorruptions of the American people."

However, the ideal combination is one of good men and good organization. And without dissenting from Congressman Hull's opinion, we can still inquire: "With our present combination of men—good, bad, and indifferent—which system will be the more clean-cut, sensitive, and effective?

THE TANGLE OF GOVERNMENT

(An editorial in the Saturday Evening Post, volume 205, page 20, August 20, 1932. Reprinted by special permission of the Saturday Evening Post. Copyright 1937 by the Curtis Publishing Co.)

At no time in many years have people been so aroused over the cost of government and resulting high taxes as now. But resentment, taxpayers' strikes, even well-considered measures of economy, are not enough. The cutting out of services and reduction in the salaries of municipal, state, and federal employes may be a necessary surgical operation, but still another and far more difficult kind of operative procedure is needed to reach the general governmental situation or tangle. In addition to, or operating within, the federal and forty-eight state governments, we have in this country more than 3000 counties, some 200,000 separate governing and taxing bodies, and 900,000 elective officials. In other words, government has got into a snarl. No amount of excitement over the liquor question or even a presidential campaign alters this basic fact. Nothing so much matters as the way in which government, as a whole, has become complex, cumbersome and tangled.

Under the American system, final sovereignty rests with the states, and municipalities derive their powers from the states. Thus, the straightening out of the situation outlined really rests with the state legislatures.

There are about 7500 state legislators, and data recently gathered by the American Legislators' Association, which was organized by state senators and representatives throughout the country in the hope of improving legislative conditions, show that these men and women are largely amateurs or novices at their all-important work. Three out of four are elected for a term of office including only one regular session. A typical body with 135 members will contain fifty who have never before sat in such an assembly, twenty-five who have previously been members for only one session, and not more than a dozen who have attended more than five sessions.

This means that state legislatures are not permanent deliberative bodies. About 98 per cent are men and 2 per cent are women, very few being under thirty, but in legislative experience, continuity of policy, collective knowledge and professional standards, large numbers of them are really juveniles. Considering that many of the sessions are for only sixty days, it really requires four or five sessions before a member learns the ropes and becomes acquainted with the intricacies of state government, not to mention its responsibilities to the county and local governments.

It makes no difference how many good men are elected to these legislatures, their influence is slight unless they come back again and again. Otherwise members of the various political gangs, who often do get themselves reelected many times, can control much larger numbers of well-meaning amateurs.

Yet these bodies directly control some two billion dollars of expenditure and have supervisory responsibility for the spending of much larger

sums by local agencies. Local governments depend so largely upon state statutes that they cannot be effective unless the state legislators are men of outstanding caliber and training.

Originally, the state legislators were elected for terms which included two regular sessions, the sessions being annual. But when the sessions were made biennial, the proper adjustment of doubling the term of office was not made. If representatives were elected for four-year terms and senators for six-year terms, there would be a considerable increase in experience.

Many state legislators receive absurdly small compensation, although there is no certainty that increased pay would improve the character of those elected.

More planning of legislative work in advance of sessions is considered a promising method. Much time is now wasted on petty bills—the bulk of work on which could be done beforehand—while major issues wait. The main point is the existing lack of training and continuity. Those interested in the problem, either as legislators or as students, have long sensed this situation.

The soundness of the whole American scheme of government requires that state lawmaking be handled in a less slipshod manner.

MODERNIZING OUR STATE LEGISLATURES

(Excerpts from "Modernizing Our State Legislatures" by A. E. Buck, published as Pamphlet Series No. 4 by the American Academy of Political and Social Science, 1936, pages 35-36.)

Outside of the United States a number of unicameral legislatures are to be found among national and state governments. For a generation or more, Norway has had virtually a single-house legislature, the second chamber being in reality nothing more than a committee of the first. Sixteen of the twenty-two cantons or states of Switzerland have unicameral legislatures. Eight of the nine provinces of Canada have one-house legislatures, Nova Scotia changing to the unicameral form in 1928. Only the province of Quebec now retains the bicameral arrangement. One of the six states of Australia, Queensland, has a single-house legislature. Five of the small Latin-American republics—Costa Rica, Guatemala, Honduras, Panama, and El Salvador—have single-chambered legislatures. Several of the provinces or states of Argentina have unicameral bodies.

Since the World War, the unicameral legislature has become increasingly popular, as evidenced by the new parliamentary governments of central Europe. Single-chambered bodies were established in more than half of these governments, among which may be mentioned the four Baltic states (Finland, Estonia, Latvia, and Lithuania), Albania, Bulgaria, and Turkey. The Spanish republic, under its constitution adopted in 1931, provided for a single-chambered Cortes. Recently the Irish Free State moved to abolish its senate, leaving only the one-house Dáil Eireann.

During the early part of 1935, the Philippine Islands adopted a new constitution which provides for a single-house legislature under the con-

gressional form of government. Since this constitution was formulated under American auspices, its provisions with respect to the legislature should be of more than passing interest in this connection. The members of the legislature, not to exceed a hundred and twenty, are elected for three-year terms. Regular sessions are held annually and are limited to a hundred days. The annual compensation of the members is 5,000 pesos each, unless otherwise provided by law. The legislature chooses its speaker and a secretary, the former receiving an annual salary of 16,000 pesos. The president, elected for a term of six years and without the right to succeed himself in office, is given the power of veto over ordinary bills and of item veto over appropriation and revenue bills, which may be overridden by a two-thirds vote of the legislature. Besides, the president is authorized to present a budget to the legislature, the expenditure proposals of which the legislature may not increase, except those for its own use and for the use of the judiciary. He may also recommend general measures for legislative action, and his departmental heads may appear before the legislature to explain their needs. A general auditing office is established under the direction of an auditor general, who is appointed for a ten-year term by the president with the consent of the commission on appointments, at an annual salary of 12,000 pesos. The commission on appointments consists of twenty-one members, elected from among the members of the legislature by a scheme of proportional representation.

It will be observed that parliamentary government tends to undermine the bicameral system by making the cabinet, or executive, responsible only to the lower house. This is true in Great Britain, where the cabinet is now accountable to the house of commons, the house of lords having lost practically all of its power, especially in connection with the budget. Something of the same situation is to be found in each of the British dominions. So far as parliamentary government is concerned, even the supporters of the bicameral system now agree in many cases that it needs drastic reform. They think that the second chamber, if it is "to have any vitality or to play any valuable part in the work of legislation," must be chosen by an entirely new method, perhaps the method recommended by the proponents of functional representation; that is, election of the membership from chambers of commerce, trade unions, and other organizations designed to promote the interests of homogeneous economic groups.

NEBRASKA'S "EXPERIMENT"

(An article in State Government, volume 19, page 103, May, 1937.)

The first session of Nebraska's unicameral legislature adjourned May 15. The unicameral session was shorter than the record 1935 session; also fewer bills were introduced, over 550 as against 1,056 two years ago. The cost of the small single-chamber body was considerably less than that of its two-house predecessor.

Opinion as to the success of the session differs. Some observers saw definite improvement over the two-house legislature. Others, skeptical, believe a longer trial is necessary.

AFFIRMATIVE REFERENCES

THE ONE-HOUSE LEGISLATURE

(An article by George W. Norris in the Annals of the American Academy of Political and Social Science, volume 181, pages 50-58, September, 1935.)

A study of the history of civilization will convince any student of government that the legislature has come into existence as a curb upon the power of royalty. Originally there were no legislatures. As the people became better educated and as civilization advanced, various methods and means were adopted to curb the power of the king and to give the people some voice in government. Gradually, through centuries, various devices were invented and tried with varying degrees of success. Eventually the legislature came into existence.

The first assemblies which had any resemblance to a legislature were called together by the king, usually for the purpose of advising with the monarch as to how best he could preserve all his authority from the demands of his people who were dissatisfied and who were complaining of alleged tyrannical acts. These assemblies had no representative functions whatever. They did what the king desired, and if they did not, their services were terminated. These assemblies were composed, of course, of single bodies, but they had no function that a democracy would confer upon a legislature as it is now understood. Gradually these assemblies, under various names, began to have some legislative functions, and the people had some degree of participation in their selection. They gravitated into two groups, one representing nobility and wealth, the other representing the people.

In England, one group became known as the house of lords, representing the nobility and people of wealth; the other became known as the house of commons, representing the common people. Other countries had very similar experiences.

Although the American colonists rebelled against Great Britain and formed a government of their own, still, in setting up the new government they used the mother country as a model. At that time England was governed by a Parliament consisting of two houses, the house of lords and the house of commons. Each one of these houses had the same jurisdiction. The house of lords, however, owed no responsibility to the people. Its members were appointed for life by the king. The two houses of Parliament, therefore, represented two classes of people. They obtained their offices from entirely different sources. The members of the house of commons received their source of power from the common people, while the members of the house of lords received their authority from the king. Thus constituted, it was supposed that one would be a check upon the other, and the arrangement would prevent either one of these classes from getting any undue advantage in government.

When our forefathers adopted the constitution, they placed the legislative function in a Congress divided into two branches, the senate and the house of representatives. Provision was made for the election of the house of representatives by the people themselves. That is the

only place in the constitution, as originally agreed upon, where the people had a direct voice and vote in the selection of any federal official. Provision was made that the legislatures should select the senators. In the main it was intended that the house of representatives, like the house of commons, should represent the people and that the senate should be elected from the wealthy, aristocratic class, to represent the aristocracy. This remained the fundamental law for more than a century, when the people amended the constitution and provided for the direct election of senators by the people.

It is worthy of note in this connection that Great Britain, as her people have become more democratic in their ideas of government, has gradually taken away from the house of lords most of its legislative authority. In 1911 the house of lords was shorn of practically all its legislative functions, and today Great Britain, for all practical purposes, is operating under a unicameral or one-house legislature. It is important therefore to observe that the pattern used by our forefathers in the formation of our government has been abandoned by the mother country. We still adhere to the ancient form, while the substance of legislative authority has been entirely changed by the country after which we modeled our federal and state constitutions.

In advocating the adoption of a one-house legislature by our states, I am often asked why I do not advocate a change in the federal constitution, providing for a one-house legislature. To this question there is an easy answer. Regardless of the merits or the demerits of a one-house legislature as compared with a two-house legislature, it is impossible under present conditions to secure a one-house federal legislature.

The constitution of the United States provides that each state, regardless of size or population, shall have two members of the United States senate. This gives to all smaller states an advantage over the larger and more populous states in the senate. Delaware, with its small area and comparatively small population, is entitled to as great representation in the senate as is New York. Little New Mexico, having a vast territory but not enough population to entitle it to two members in the house of representatives, is equal in the senate to the state of Pennsylvania.

An amendment to the constitution of the United States must have, before it can be submitted, a two-thirds vote in the senate and also in the house of representatives. The smaller and less populous states, which under our constitution have an advantage in the senate, vastly outnumber the more populous states. It would be an impossibility to secure a two-thirds vote in either house to submit the necessary constitutional amendment. But even if such an amendment were submitted, it would require approval by three fourths of the state legislatures to make it effective, and it can easily be seen that securing such approval would be an absolute impossibility. It is therefore only a waste of time to attempt to secure the adoption of such a federal constitutional amendment.

Members of the two branches of our state legislatures are elected by the people of the several states and from the same class of people

and are given the same legislative authority. There is no division anywhere in the union along aristocratic lines, and there is no qualification of wealth or property. There is no reason to give the two branches of our state legislatures the same authority to do the same thing, where they possess the same qualifications for office and where the work of the two bodies is identical. Our legislative system provides, in so far as the legislatures are concerned, that the work shall be done twice, requiring identical action by each branch, although each branch has the same jurisdiction. Such unreasonable and illogical action is not required in any other governmental activity.

This illogical procedure is well illustrated by what happens in our courts of justice. A case in court may involve a lifetime of savings. It may involve the liberty of one or more of the litigants. It may even involve human life. But, however important may be the issue, it is unnecessary to have more than one trial. Under the guidance and control of the presiding judge, each side offers all the evidence deemed important or relevant. When all the evidence is in, the attorneys argue the same to the jury. When the argument is over, the judge instructs the jury. The jury retires, and after deliberation, renders a verdict. The judge renders judgment upon this verdict. This determination of the issue is then settled. It is ended, unless the jury or the judge has violated some constitutional provision, in which case the entire trial is set aside and held for naught by the appellate court.

This same check would exist in legislative matters if we had the one-house legislature. If the legislature exceeded its constitutional authority in the enactment of any law, it would be set aside by the supreme court. There would also exist the veto power of the governor and referendum provisions of the state constitution, so that the people could by such referendum nullify any law passed by the one-house legislature, as they have the power to do now.

Let me illustrate the method of passing laws by a two-house legislature.

A bill is introduced, let us say, in the house, and by the house referred to a committee, whereupon the committee holds hearings at which all persons interested on either side of the controversy have an opportunity to be heard. When the hearings are finished, the committee debates the question in all its phases. After it has concluded its consideration and deliberation, it reports the bill to the house. Under the rules of the house, the bill comes up for discussion and debate. All members of the house have the right to be heard. The bill is argued in all its phases and then the house votes upon it. If the bill is passed, the house sends it to the senate. The senate refers it to the standing committee, and everybody again has the right to be heard. As a rule, the same people who have been heard by the house committee come again at their own expense and at a sacrifice of their time and are heard by the senate committee. After they have exhausted the subject again, the senate committee considers it and deliberates upon it. Then they report the bill to the senate, and there the members of the senate debate it. They consider it from all angles. They go over practically the same ground that

has been gone over by the house. Perhaps they amend it in some particular, and in this form they pass the bill.

The bill is then returned to the house for action upon the senate amendments, and usually, as a matter of form, the house rejects the senate amendments, and the bill is sent to conference. Practically all legislation over which there is any controversy goes to a conference committee. The conferees, usually three from the house and three from the senate, take up the bill for consideration. As a rule their deliberations are held behind closed doors. There is no roll call. There is no provision of law for a record of the proceedings of the conference committee. The conference committee perhaps writes a new bill. The conferees modify it without any hearings, without any publicity, and without any record vote. If they agree, they report it to the house and senate.

The conference bill comes up in the house and senate, and it must be voted up or down, without amendment. There is no such thing as the amendment of a conference bill. Members of the house and the senate may find in it provisions which they think are wrong. They cannot move to strike them out. If good provisions have been left out by the conference committee, they cannot move to insert them. They must accept the evil in order to get the good. If they want to reject the evil, they must likewise reject the good. This places the members of the house and the senate in a very unfavorable and unfair light. Modifications or changes in a bill, which have been made without public discussion, without the knowledge of the public, without any roll call, and without any record, must be approved as a whole or disapproved as a whole. If the house or the senate reject the conference report, and in the last days of a session especially, this means death to the bill.

It is contended by those who oppose the one-house legislature that rules could be made for governing a conference committee by which a record could be kept of its proceedings and by which the proceedings could take place in public. It is also contended that the power of the conference committee to write any provisions into any bill can also be restricted by parliamentary rules.

In theory, under general parliamentary law, the conference committee is limited in its jurisdiction to actual disagreements between the two houses. In the federal Congress, the rules of the respective bodies provide that if a conference committee writes any provision into a bill, or strikes out any provision which is in the same form in both house and senate bills, the report of the conference committee will be subject to a point of order. Similar rules prevail in some of the state legislatures; but I understand that the conference committee is not thus limited in a great many of the legislatures, and the practice often is to write an entirely new bill. In fact, it often happens that one house strikes out all of the bill after the enacting clause and inserts an entirely new bill. Of course, the effect of this is to put the entire bill into conference.

These parliamentary provisions are often the means of defeating legislation. Points of order are made on conference reports, and if the point is sustained, the bill goes back to conference. Thus delay takes place, and delay often results in the complete defeat of the legislation, in

the end bringing about just the situation that is desired by the lobbyists who are trying to defeat the legislation.

It would be possible, by constitutional amendment or perhaps by statute, to provide that conference committees should do their work in public, and that a record should be had of their proceedings. This, however, has never been done, so far as I am aware, in the history of the world. No public record of the work of any conference committee, either in the federal Congress or in any state legislature, has ever been made or kept. It is safe to say that no attempt ever will be made to keep such a record, because it would at once show to the public that the conference committee is in reality a third house, and that it is the most powerful one of the three.

It must be borne in mind, also, that a conference committee is not under the control of either one of the houses. Either house can control to a degree its own conferees, but neither one of them alone can adopt any rules that will result in any control of the conferees of the other house.

I am not objecting to the conference committee in any legislature consisting of two houses, because I know of no other method that has ever been devised that can handle a disagreement between the two houses. I do not object, either, to the fact that the conference report cannot be amended. If amendments were permitted, such procedure would nullify the real intent of a conference committee and would make an agreement between the two houses absolutely impossible. There is no way to get rid of a conference committee and its necessary evils except by the establishment of a one-house legislature.

In a one-house legislature there would be no such thing as a conference committee. There would be no such thing as legislation in the dark, or legislation without a public record. Opponents of the one-house legislature claim that a two-house legislature makes it more difficult for special interests and monopolies to control legislation than would be the case with a one-house legislature. Experience shows exactly the reverse to be true. It must be observed that special interests, monopolies, and combinations do not as a rule propose legislation. They are interested in the prevention of legislation which in any way restricts or modifies their powers, and they employ shrewd and often corrupt lobbyists to defeat any legislation to which they object.

To prevent legislation it is not necessary to control both the house and the senate. All that is necessary is to prevent action by either house, or, what is much easier, if the bill is in conference—and it usually is—to control the conference committee. Lobbyists are experts in such procedure. Where there is no public record and no way to tell just what happens, they are able to handle the conference committee so as to prevent action. Let us see how this can be done.

A conference committee of six, let us assume, has been appointed on some bill. Three of the members are appointed by the speaker of the house, and three by the presiding officer of the senate. In order to get any agreement out of a conference committee, the house and the senate conferees must agree to the same, identical provisions. The three mem-

bers from the house control the house vote in the conference committee. The three members from the senate control the senate vote.

All that is necessary to prevent action is to be able to control two of the senate conferees or two of the house conferees. Either will prevent an agreement, or result in the laying down of conditions which will necessitate an agreement along lines desired by the two objecting members of the conference committee. These two members can insist on putting into the conference bill those provisions which are satisfactory to them, and can bring about the rejection of other provisions which are not satisfactory to them. Thus, either we have no conference report, in which case the bill is dead, or we have a conference report with a modified bill which is agreeable to the monopoly opposing the original bill.

But this is not the only place where special interests can prevent legislation. If, at the beginning of the session, they are able to control the election of the speaker, it is possible to influence and sometimes actually control the appointment of all conference committees. It is a well-recognized fact that at the beginning of almost every legislature there is a contest over the election of the speaker of the house. The public as a rule does not know all the ins and outs of the controversy and does not often understand what, if any, agreements have been made in secret that have brought about the election of some particular individual as speaker of the house.

We see, therefore, that special interests desiring to control legislation in a two-body house have several opportunities to accomplish their purpose: first, by control of the senate; second, by control of the house; third, by control of two members of the conference committee representing the house; fourth, by control of two members of the conference committee representing the senate; fifth, by control of the speaker; and sixth, by control of the presiding officer of the senate.

Nothing of this kind could happen in a one-house legislature. There would be no such thing as shifting responsibility from the house to the senate, or from the senate to the house. There would be no such thing as shifting responsibility to a conference committee. There would be no importance attached to the election of a speaker. After the bill had been introduced and considered by the committee, after hearings had been held, after the subject had been exhausted in the one-house legislature, a vote would be taken. Any amendment which might be offered would there be fully discussed and voted upon. The vote would be in the open. Pitiless publicity would reign supreme.

Constituents of every member would know next morning when they read the papers, or that afternoon when they heard the radio, just what the record of their public servant was. It would not be necessary to follow the action of the senate, the house, and then the conference committee. The constituents, without any great effort, would be able to see and understand every legislative step which took place. Not only would they be able to punish the unworthy servant, but they would also be able to reward the one who had been faithful. And we should realize that not only is it important that we punish public servants who have failed to do their duty, but we should be equally anxious to reward those

who have done their duty. With a one-house legislature the voters would be able to do this without any difficulty, whereas it is almost impossible to do either under the two-house legislative system.

It is perfectly apparent, therefore, that instead of one house being a check upon the other, the double-barreled system is a shield for corruption, concealing the record of unworthy representatives, making it impossible for a critical public to know just what the record is. In every two-house legislature, after the close of the session, if we post the checks and balances we shall find that the politicians have the checks and the special interests have the balance.

We must not overlook the fact, also, that the one-house legislature would save vast sums of money to the taxpayers. This would be done even though we increase (which in most cases we should do) the salary of the individual legislator. In many cases we could double the salary of the individual legislator and still save large amounts of money on the salary item alone.

But this item of expense is probably one of the least. The truth is, there are a thousand ways in which a legislature will appropriate money for different political jobs in a two-house legislature, which are deemed necessary, especially if the members are elected on a partisan basis. The closing days of a legislature in practically every state in the union disclose most disgraceful practices in the matter of making laws for the government of our people. Conference committees come in every few hours; members know that if a conference bill is defeated in the late days of a session, it will mean the complete defeat of the legislation. The inclination always is then to vote for the conference report. In this way, jokers innumerable get into our laws. Laws which the people of a state want are either omitted entirely or couched in such language, sometimes purposely, that the supreme court will hold them unconstitutional. Laws which the people want, which have been passed by one house, are indefinitely postponed or otherwise defeated in the other house, without a record vote.

Thus the tracks of unworthy legislators are covered up and no public record made. Logrolling and the shifting of responsibility from one house to the other is a very common occurrence. Nothing of this kind could occur in a one-house legislature. Greater deliberation would take place, and yet less time would be consumed, if we take into consideration the time spent in the two houses and also in the conference committee.

Responsibility always makes a person more deliberate, more logical, and more careful. The same individual would be a much better legislator in a one-house legislature, where responsibility could not be shifted and where every official act must be performed before the eyes of the public, than in a two-house legislature, where all kinds of opportunities are offered to shift his responsibility, to share it with others, or to conceal his official acts from the public gaze.

There is no more reason for a state to have two branches of its legislature than there is for a wagon to have five wheels. The experience of our neighbors to the north demonstrates that the one-house leg-

islature has given eminent satisfaction. The Dominion of Canada contains nine provinces. All these provinces except one have one-house legislatures. They have found that they get better laws at less expense, while the activities of corrupt lobbyists are cut to the minimum.

The little republic of Finland has been so well governed that it is the only European power that has the financial ability to meet the installments of war loans due the American government. Finland has had a one-house legislature for seventeen years.

Announcement has been made by the public press that the government of the Philippine Islands, the newest republic of the world, whose ship of state is being launched upon the governmental sea under the auspices and direction of the American government, is to have a one-house legislature.

Not only should the legislature of a state be confined to one house, but its members should be elected on a nonpartisan ballot. Our great parties are divided according to the beliefs of our people on national issues. The tariff, the League of Nations, ship subsidies, and a hundred other things could be cited to demonstrate this proposition. With these national questions the legislatures of our states have nothing whatever to do. They should be elected on state issues, which may be entirely different from national issues which divide our political parties.

Under present conditions we elect a member of the legislature because he bears the label of a national party, and those who vote their "ticket straight" vote for members of the legislature on the same ticket, regardless of the fact that the voter may not agree with the candidate on any of the state issues over which the legislature will have jurisdiction. We are therefore likely to have a legislature which does not represent the sentiment of the state's own people. Such an illogical condition could be avoided if the members of the legislature were elected on a nonpartisan ballot. They would then be free from the issues of national politics. They would not be subject to the influence of political bosses and party machines. They would not be responsible to any party on a false issue, but would be responsible to their own people upon issues which have a direct bearing upon the official duties of the members of the legislature.

A state should be a business institution, and not a political machine. Its government should be conducted on business principles. It should transact its business much as does a great corporation, with the governor as the president, the legislature as the board of directors, and the people as the stockholders. If politics were eliminated, the members of the legislature would not be handicapped by partisan considerations. Under present conditions, the sessions of nearly every legislature in the country are fraught with the game of politics from beginning to end. We cannot expect our legislators, if elected as partisans, to close their eyes to the power and influence of the party machines.

Most states elect their judges and their county and state superintendents of schools on a nonpartisan ballot. Why should we elect legislators because they give adherence to a particular party on an issue that has nothing to do with their official duties, and then elect judges who

interpret the laws enacted by those legislators, on a strictly nonpartisan basis? Why do corporations have but one board of directors? Why should not a city have two boards of aldermen? Indeed, why should we not have two governors of a state instead of one?

To ask these questions is to answer them. Such a method would be illogical and unreasonable, and would make it possible for special interests to control legislation and make it impossible for the people to know just who was responsible for their laws. It is a fundamental principle of a democracy that we are sufficiently civilized and educated to govern ourselves. We should have servants that will carry out our will, and we should have a system by which we can tell whether our public servants serve us loyally or whether, instead, they serve special interests. The one-house legislature would clear the atmosphere and bring us nearer to the ideal of a democracy.

If every state is to be a business institution, if the evils of partisanship are to be eradicated from state governments, if the legislature is to be a real board of directors, if the people are to have an opportunity to know just what is being done by their public servants, then the legislature must not be so large in membership as to be unwieldy. Upon this question there will be a difference of opinion among honest men, but it is safe to say that the membership of a legislature should not be so large that it would be necessary at any time to confer upon a committee or a small number of members the right to guide or control its proceedings. If this principle is adhered to, it will be found that most of our legislatures are too large.

The important thing is that the members of the legislature should be responsible for their acts. There should be no way to shift their responsibility. There should be no way to cover up their tracks. If the membership is comparatively small, it will be easier for the people of the state to follow their work. Their positions will become more important, their individual power will be greater, and they will take a greater pride in seeing that their duties are well done and that their record is above reproach.

THE CASE FOR THE UNICAMERAL LEGISLATURE

(An article by Martin L. Faust in the Eleventh Annual Debate Handbook, 1937-38, edited by Bower Aly, volume 1, pages 71-77.)

It is inevitable in democracies that legislative bodies will be subjects of continuous criticism and censure. It could hardly be otherwise when we contemplate the complex of interests that have to be satisfied. At the same time, it is all the more imperative in the modern state situation that legislatures be reasonably responsive and adequate to the needs of the time. While our national and municipal representative bodies are by no means perfect, they have nevertheless of late years proved far more resourceful and responsive than those of our states. When the country was confronted with a major economic crisis, our state legislatures stood by inarticulate and moribund; our national and municipal legislatures took the initiative and devised programs of action.

Political scientists recognize that our present state legislative diffi-

culties are attributable to a wide variety of causes and factors. The failure to develop legislative leadership either in the legislature or on the part of the executive, constitutional limitations upon legislative power, sharp and apparently irreconcilable conflicts of interests between rural and urban groups, improper organization of constituencies resulting in inequitable apportionment of representatives, inadequate compensation of members, limited and infrequent sessions, complicated legislative procedure, the bicameral structure, frequent turnover in membership, all these and many other reasons would be listed in any analysis of the legislative problem.

While the roots of the difficulties thus have wide ramifications, the taproot which is believed to be the chief source of trouble is the bicameral principle. The particular reform therefore, which is today attracting wide interest and support is the adoption of a one-house system to replace the old two-house arrangement. The unicameral idea in a sense epitomizes a legislative reform program for state government. It is essentially a gateway for the admission of other reforms necessary to the improvement of our state legislatures, reforms which bicameralism effectively blocks.

Students of state governments have for years voiced the sentiment that the old bicameral legislative system of our states has outlived its usefulness. Bicameralism they point out was established in an earlier day when theories prevailed which are no longer applicable. The colonial assemblies followed the English parliamentary model. Inequality of representation was then the law of the land. The interests of the masses and the interests of the aristocracy were recognized and accepted as separate and distinct. Bicameralism provided a suitable mechanism for implementing this theory of class representation: an upper house to preserve and protect the rights and privileges of the few; a lower house to voice the sentiments of the many.

With the advent of the equalitarian theories of democracy, bicameralism had to find support in a new principle. Such a principle was at hand in the doctrine of separation of powers and checks and balances. As originally presented it was a theory of liberty. Predicated upon an essentially suspicious and negative attitude toward government, this doctrine sought to divide and distribute powers of government so as to prevent undue concentration of authority in any one place. Mindful of the oppressive acts of contemporary monarchs and their agents, the creators of our early state governments welcomed a doctrine that promised security against the tyrannies and oppressions considered by them inherent in all government.

It is a mistake, however, to assume that the radical democrats of the revolutionary period were solely responsible for the bicameral feature of the early state governments. The aristocratic and propertied elements, ever alert to their own interests, found separation of powers and checks and balances not unsuited to their needs. Astute enough to sense the oncoming tide of democracy, they sought safeguards against the tyranny of the majority. In the formative period of American political institutions, following the Revolution, these conservative and prop-

ertied classes gained the ascendancy, and they proceeded to utilize separation of powers and checks and balances to contrive governments which were frequently more democratic in form than in substance. There is, in fact, substantial evidence to indicate that the radical democrats eyed bicameralism with suspicion. In the much maligned articles of confederation and in the abortive Pennsylvania constitution of 1776, both written by the radical elements in control, unicameral legislative systems were established. But the radicals soon lost power, and their conservative successors speedily revived bicameralism.

By the time that democracy finally reached its stride toward the middle of the nineteenth century, the undemocratic origins of bicameralism had faded from view. Separation of powers and checks and balances were firmly woven into the texture of national, state, and local governments. Bicameralism continued to receive nourishment from the strongly individualistic spirit that characterized nineteenth century democracy in America. Since government was a necessary evil to be tolerated only for purposes of order and defense, the interests of the people could best be served by drastically limiting state and local government powers and distributing them among plural executives and bicameral legislatures. And as the immature democracies began to reveal defects, the intensive democratic belief of the time called for correctives that applied more democracy, less representative government, more checks and balances, and greater separation of powers.

Other influences undoubtedly contributed in a later period to the perpetuation of bicameralism in state government. The growing prestige of the federal constitution, which incorporated the bicameral principle, conferred upon it a validity that was final and indisputable. Apparently little thought was given to the fact that the two-house legislative arrangement in the national constitution had provided a happy formula for consolidating into a federal union separate and independent states unequal in size and population, a situation that was hardly paralleled within the states.

In the present day, the emergence of the urban-rural conflict has brought renewed strength and vigor to the support of bicameralism. Once again it affords a haven of refuge for a minority whose position and power in state affairs are seriously threatened. In the more highly urbanized states, rural minorities naturally cling tenaciously to the preponderance or equality of power that bicameralism at present affords them. They repeat the old federal argument that areas must be represented equally with people. Actually, bicameralism powerfully aids and abets the defeat of majority rule. Viewed in historical perspective, therefore, the institution of bicameralism in the states of today is an anachronism. We have long since abandoned the theory of class representation which furnished the original basis for bicameralism; we have discarded the *laissez-faire* democratic philosophy which held bicameralism to be in conformity with its ideal of weak and negative governments; finally, we have found rural minorities through the device of bicameralism able to retain control of state situations that have become predominantly urban.

The weaknesses of bicameralism and the merits of the unicameral argument stand out in bolder outline when we contemplate the intricate and dynamic social order within which governments must function today. The simple, rural conditions of the earlier commonwealths have passed. Many of the states are now characterized by large and numerous urban communities based upon commerce and a high degree of industrial specialization. Even rural life has taken on urban characteristics, and agriculture has become an industry. Governments by the force of circumstances have become active and positive; they can no longer play a passive role; they must adjust continuously the intricate economic relations produced by the new order. An aroused social consciousness has made our states great public service enterprises, requiring them to employ thousands of persons and to spend annually millions of dollars. Thus the modern state situation demands legislative machinery that is immediately responsive and fully adequate to the needs of the day. Our antiquated bicameral legislatures designed to prevent action are totally unsuited to cope promptly and effectively with the rapidly changing conditions of contemporary life.

The question naturally arises, what qualities are inherited in a unicameral legislative system in state government that would make it superior to the bicameral arrangement. The unicameral plan as generally advocated calls for a simple and compact legislative organization of only one house with not more than fifty members. The advantages, therefore, are those inherent in small bodies. Small bodies are eminently better fitted for intelligent discussion and purposeful deliberation than large assemblies. Oratory, particularly of the demagogic variety, is characteristic of the latter. It is in the small upper houses of our state legislatures that we usually find debates more constructive. Lower houses with their large memberships must resort to rigid disciplinary devices to enable them to function at all. Small bodies can be energetic and businesslike. The lost motion and dissipation of effort so characteristic of our large bicameral legislatures would disappear in the more compact unicameral system.

The advances of science and technology, the rapidly expanding area of state activity, the increasing complexity of the problems to be considered make imperative wider and more intensive use by our legislators of expert knowledge and assistance. A small unicameral body facilitates the infiltration of scientific knowledge; our large bicameral assemblies too frequently are contemptuous of expert opinion.

Many of our cities both large and small have replaced their old bicameral councils of numerous members with small unicameral bodies. Some of our cities have never used the bicameral system. In none of our cities today do we find the slightest suggestion of reverting to bicameralism. The present unicameral councils have proved infinitely more satisfactory than the old arrangement. The diversity of interests to be represented is greater in many of our large cities than that in most of our states; the problems of cities are frequently more numerous and complex than those of states. There seems no good reason why the

unicameral principle should not operate as effectively in states as it has in cities.

The reduction in the size of our legislative bodies should yield further benefits. Numerous members make necessary many small legislative districts. Small constituencies produce small-caliber representatives. The broader interests and general welfare of the states too often suffer because of the narrow provincialism that controls legislative decisions. The greater breadth of view and the keener competition which the larger constituency makes possible are far more likely to produce a higher type of legislator than can be hoped for from many small districts. After all one of the real weaknesses in the existing situation is the inferior quality of the legislative personnel. Unicameralism by making possible the use of fewer and larger districts will aid in attracting members with outstanding qualifications.

The apportionment of representatives to constituencies is one of the most difficult and trying problems of legislative organization. Acceptance of the unicameral principle will not in itself provide a solution. But the apportionment of the members of a small unicameral legislature is admittedly a simpler matter than is apportionment under a bicameral system. The argument that bicameralism is necessary in order to balance rural and urban interests will hardly stand close analysis. These interests can be balanced and integrated far better under the unicameral plan than is at present possible under bicameralism. Bicameralism deliberately fosters gross inequities in apportionment; it is in large measure responsible for the present "rotten borough" system that characterizes legislative organization in our states. Unicameralism requires us to face squarely the issue of apportionment; bicameralism compromises the issue by evading it. If we can once work out a reasonable, satisfactory apportionment for one house, then a second house becomes superflous. Unicameralism, therefore, clears the way for proportional representation or some similar plan that will give us a legislative organ accurately reflecting the interests, opinions, and sentiments of the people.

Reduction in the size of state legislative bodies would also make possible substantial increases in the salaries of legislators, without increasing the present total expense. Under the bicameral system with numerous legislators, the people oppose larger salaries, first, because of the greatly increased total cost involved, and second, because of the justified fear that large salaries alone will not cure the inherent weaknesses of bicameralism. The present low salaries are seriously detrimental to the best interests of the states. They permit only financially independent persons to serve in the legislature, an unwholesome situation for democracies; or they require legislators to carry on their regular occupations with their legislative work, and as a result to sacrifice the best interests of both, or what is the worst of all, low salaries make legislators susceptible to offers of retainers and gratuities from special interests seeking legislative favors. Larger salaries should help, therefore, to make the office more attractive to men of character and integrity who cannot now afford to make the financial sacrifice involved, to enable legislators to devote their time more fully to legislative work, to

lessen temptations that constantly threaten to undermine public confidence in the functioning of representative government. The adoption of the unicameral principle is at once a sound and practical plan to bring about adequate compensation for our legislators.

Reducing the size of the legislature would have the further advantage of enhancing the prestige and influence of the individual member. This too would tend to make the office more attractive. Our large bicameral assemblies with their intricate procedure and organization relegate the rank and file of the membership to an ineffective and impotent position. Legislative office provides little opportunity for achievement and accomplishment. It is only in extraordinary and unusual circumstances that individuals can participate effectively in the shaping of public policy. Control gravitates into the hands of a party oligarchy; logrolling and petty practices are encouraged. State legislative offices afford few incentives for worthwhile and honorable careers.

The most serious indictment of the two-house system is the way in which it obscures responsibility. Not only does the large membership make for anonymity, but the bicameral feature adapts itself readily to the familiar political practice of "passing the buck." Bicameralism doubles the number of committees, multiplies procedural technicalities, and creates a general condition of parliamentary confusion. The system affords opportunity without end for obstructionist tactics and manipulation of the law-making process by irresponsible individuals and minorities. A one-house legislature will permit reduction of the number of committees to a minimum, and what is even more important, it will eliminate entirely the device of conference committees. The latter is regarded by many as the most vicious feature of bicameralism. Rendered necessary in order to compromise differences between the two houses, this device actually permits a few individuals to rewrite entire measures. It is during the conference-committee stage of legislation that the system of invisible government operates most effectively. Simplification of the law-making machinery is essential to the successful working of democracy. The simplicity of the unicameral structure will focalize attention and will make responsibility visible and definite.

In conclusion, it is well to emphasize the importance of rehabilitating the representative assemblies of our state governments. State legislatures are in disrepute today on a wide front. The breakdown of Parliaments is a prelude to the establishments of dictatorships, a tendency that has already manifested itself in at least two of our states. No longer, also, do our governments on the several levels function in isolation. National economic and social solidarity make imperative coordination, both vertically and horizontally, of federal, state, and municipal policies. And unless the vitality of our state governments is assured through the establishment of virile legislatures, extension of federal control beyond a range that is either wise or desirable, is imminent. State legislative reform in addition is an important corollary to state administrative reform. While the states have made considerable progress in consolidating administration and centralizing responsibility under the governor, the full fruits of this reform have not been realized, be-

cause of legislative weaknesses. Particularly important in democracies is the role of the legislature in the enforcement of executive and administrative responsibility. Our present bicameral legislatures are ill adapted to the performance of this function, virtually neglecting it, even though expansion and integration of administration make the enforcement of accountability by a constantly vigilant legislative organ more and more necessary. Strong executives are both inevitable and indispensable in modern democracies, but strong executives must be offset by strong legislatures to preserve democracies from self-destruction.

In brief, unicameralism will impart new vigor and energy to our state legislative systems; it will rehabilitate them and at the same time make them both responsive and responsible legislative bodies; it will make legislative service attractive and tend to elevate the standards of the legislative personnel; it will facilitate the infiltration of scientific knowledge in the formulation of public policy; it will permit the organization of really representative bodies in which the majority will rule but the minority will not be deprived of its rights; it will focalize attention and make the actual law-making process more visible and intelligible; finally, unicameralism will enable the states to participate effectively in the solution of our common problems.

THE BICAMERAL SYSTEM IN STATE LEGISLATION

(Excerpts from an article by James D. Barnett in the American Political Science Review, volume 9, pages 449-466, August, 1915.)

The submission of proposals for the abolition of the state senate to the people of Oregon at the two preceding general elections is occasion for a summary of considerations in reference to the bicameral system of legislation.

The bicameral system has been so long and so widely prevalent that until very recently its "necessity" has been almost universally regarded as "demonstrated truth." The British legislature, "the mother of Parliaments," is a development from the assembly of "estates." Five distinct "estates" were present in the "Model Parliament" of 1295, but through the consolidation of interests, the organization of two legislative chambers, the house of lords and the house of commons, was soon evolved. The bicameral system of legislation, generally based upon English precedent, has usually followed the extension of constitutional government, and at present most national legislatures consist of two chambers. In France and Haiti, although for ordinary legislation the two houses act separately, for changes of the constitution the two are combined into one. Some independent states formerly having single representative chambers have changed to the bicameral system, and some, though fewer, changes have been made from the bicameral to the unicameral system. The British house of lords has been finally so shorn of its power as practically to leave a unicameral legislature for the British empire.

Although in the United States and the Australian commonwealth all the individual states have bicameral legislatures, the unicameral system either is exclusively adopted or largely predominates in all the other fed-

erations but one, and in that one (Argentina) a large minority of the states have unicameral legislatures. In the German empire fifteen of the twenty-five states have unicameral legislatures. Most of the individual states of the Latin-American federations have but a single chamber. The cantons of Switzerland have single representative chambers in all cases where the legislature does not consist of a primary assembly. Although, in general, "the bicameral system accompanies the Anglican race like the common law," there are more important exceptions to this generalization. In the Australian colonies the bicameral system had been adopted, after experience with the unicameral system, half a century before the commonwealth was established. On the other hand in the Dominion of Canada the older provinces except Quebec and Nova Scotia have abolished their original upper legislative chambers, and none of the new provinces has ever had more than one chamber, so that at present only two of the nine Canadian provinces have bicameral legislatures.

Over half of the American colonies began the representative system with single legislative chambers, but in the others the bicameral system, whether in imitation of the English system or on account of local causes, was established from the first. Although the single chambers persisted in some of the colonies longer than in others, only one such legislature, that of Pennsylvania, was left at the end of the seventeenth century. The unicameral legislatures of the colonies became bicameral either by the addition of a representative assembly to the assembly consisting of the governor and council or by the division of an original single chamber into two houses. In the latter case, "as a general rule the division grew out of the distinction already existing in the assemblies between the magistrates (i.e., the governor and assistants) and the deputies. The magistrates had acquired an important and distinct place in the government from the powers which they came to exercise during the recess of the general court, or from the fact that they were separately appointed by the king or proprietor, and thus represented interests distinct from those of the deputies . . . The distinction between the magistrates and the deputies, as two branches of the government, preceded their division as two houses of one legislature. Generally local causes were apparently more potent in this development than was the English precedent.

The Congress of the confederation consisted of only one house. When the federal convention assembled, all of the states had legislatures of two chambers except Pennsylvania, Vermont, and Georgia, the latter of which had reverted to the unicameral system. The provision for two houses of Congress met with little opposition and it is apparent from contemporary discussion that the bicameral system was then in general favor, especially for the states. But there was some decided opinion to the contrary. This system was adopted in Georgia in 1789, in Pennsylvania in 1790, and in Vermont in 1836. All the new states have had two legislative chambers from the beginning. And representative government for the territories and dependencies of the United States has included the bicameral system in every case.

But although there has been some imitation of the national and

state governments in establishing two chambers in our city councils, the system has not generally been approved for city governments, and has been largely abandoned where adopted. And the other local councils have always been single-chamber bodies. Further, a fact of much greater importance in this connection but generally overlooked, the constitutional convention has always consisted of a single house.

However different the conditions in the various governments of the world at present, as at other periods of their history, the discussions of the merits and demerits of the bicameral system of legislation are generally carried on with little or no regard to questions of time, place, or circumstance. And especially is there generally failure to make proper distinction in this regard between sovereign, or practically sovereign, states and component members of such states. The present discussion is directly concerned only with the legislatures of the non-sovereign American states under existing conditions, and particularly with those states in which the referendum has been established.

The mere general prevalence of the bicameral system has usually seemed to be its best justification. "An institution which appears with such a character of generality and permanence answers incontrovertibly to a real need." And the advocates of a single chamber have generally been regarded as mere visionaries. "There have not been wanting at all times minds of a high order, which have been led by enthusiasm, or a love of simplicity, or a devotion to theory, to vindicate such union with arguments striking and plausible, if not convincing." It is true the world over today that the agitation against the bicameral system comes chiefly from "radicals," although many radicals and socialists are on the opposite side.

By far the most valuable precedents to be considered in connection with this question of the division of the American state legislature are to be found in the component states of other great federations. In most of these states, as has been observed, the legislature has only one chamber. The safest comparison may doubtless be made with the Canadian provinces, seven of the total nine of which have unicameral legislatures. It is true that the provinces have enumerated rather than residuary powers, and the Dominion Parliament has more extensive powers than the United States Congress. But there is little positive limitation of provincial legislation contained in either federal or provincial constitutions, and the provincial legislatures may amend the provincial constitutions. The veto power of the imperial government, exercised through the governor general, has been for the most part interpreted away. There is no check provided by separation of powers between the executive and the legislative departments of the province. Popular control over the legislature through the referendum is unknown. Moreover, the functions actually exercised by the Canadian province are more extensive than those exercised by the American state. If, under such conditions, the division of the legislature into two branches is not necessary to check its abuses of power, it would seem unnecessary to divide the American legislature, with all its limitations, against itself, in order to prevent its encroachment upon the rights of individuals or upon the

other departments of the government. This would seem to be the case especially where legislation is subject to popular control through the initiative and referendum. Under these conditions the legislature approximates the status of the constitutional convention—always consisting of a single house.

Advocates of the bicameral system have generally insisted it will not serve as a sufficient check against the abuse of legislative power unless the two houses are composed upon different principles.

The bicameral system has been considered as an obstacle to corrupting influences in the legislature. "Some protection is . . . afforded against a sinister combination of private interests to pass measures opposed to the public good; since a combination is at any rate more easily managed in one chamber than in two." But the division of the legislature is well adapted to effect the success of these "sinister combinations." It prevents concentration of the attention of the public upon the operations of their representatives, and gives opportunity to the representatives to evade responsibilty for their actions. "The people of Oregon would have better control of their legislature and would obtain better results with a single-house legislature. There would be but one house to watch instead of two. There would be an end to much buffeting and buncombe." "By abolishing the state senate, the people will concentrate responsibility on the representatives alone, and thus destroy the habit of politicians and pledge-breakers of passing a bill in the house and 'killing it in the senate,' of passing a bill in the senate and 'killing it in the house'." Moreover the complication of the system is an obstacle to the detection of sinister legislation by the representatives themselves.

The same considerations which apply to the division of the legislature as a security against abuses of power by the representatives of the people will apply to the division of the legislature as "a salutary check . . . upon the people themselves, against their own temporary delusions and errors."

"The chief advantage of dividing a legislature into two branches is that one may check the haste and correct the mistakes of the other." "Each house, knowing that the propositions which originate in it will be carefully scrutinized by the other, will be rendered more careful, more deliberate, more awake to objections; even its own reputation is at stake before the public; one house cannot be expected to have a very tender regard for the good name of the other, but will be only too ready to find fault with its conclusions." In support of this theory, proceedings in Cromwell's Parliament, the single-chamber French legislatures, the Continental Congress, and the single-chamber legislatures of Pennsylvania and Georgia have been cited to show the necessity of the division of a legislature into two houses to secure deliberate action. But these few examples, taken from remote times and extraordinary conditions, are certainly of very little significance when contrasted with the long and satisfactory experience of the Canadian provinces, the Swiss cantons, and other states with single-chamber legislatures.

However, our bicameral state legislatures have in fact long ceased to be truly deliberative bodies. "The most important function of our

early legislatures was deliberation. This has almost entirely disappeared. The rush of the age has invaded the dignified assembly hall, and bills are shot through as by pneumatic pressure. The two most important factors in modern legislation are the lobby and the committee. What deliberation now is granted a measure is given in committee rooms and in private discussion. "The loss of deliberative character of our legislative assemblies is due chiefly to the enormous increase of the business submitted for their consideration. Under the present conditions in our legislatures the elimination of the one house would reduce the mass of business submitted, approximately in proportion to the number of the members of the house eliminated, and thus by that much remove the difficulties in the way of deliberate action.

Indeed the shifting of responsibility for due deliberation, under the present system, by one house upon the other, "the division of labor," at times virtually nullifies the bicameral principle of legislation. "Two considerations do not necessarily mean a double consideration . . . There is a tendency to assume that a subject has been considered in the other house, when the consideration there has been very inadequate, or some times one house hastily passes a bill, with the expectation that the other house will deal with it more carefully, and so there is frequently a shifting of responsibility from chamber to chamber." "In a two-house legislature each house depends upon the other. Neither house is as careful as if all responsibility rested upon it."

A similar sacrifice of the bicameral principle results at times from the practical delegation of legislative power to conference committees and other joint committees of the legislature.

However, even if the bicameral system operates to some extent as a check upon hasty and ill-considered legislation, the check may as often be a detriment to legislation. Delays and deadlocks thus occur, and the progress of reform is thus impeded.

The policy of scattering men apart rather than gathering them together for the purpose of consideration of legislation seems the more absurd in view of the invariable practice in organizing our state constitutional conventions, where the most fundamental provisions of governments are formulated, upon a unicameral basis.

Rather than the revision of the action of one legislative body by another legislative body as a precaution against ill-advised action, there is needed the closer cooperation of the executive and legislative departments in the enactment of law, and the assistance of legislative experts, "legitimate librarians" and "bill-drafters," to the legislature of laymen.

The attainment of any unity of purpose and harmony in legislation, difficult enough under the best conditions, is always likely to be thwarted by the division of legislative authority. The "hold-ups" and "logrolling" practiced at times between the two houses, and virtually destroying the bicameral principle, are additional reasons for eliminating one of the houses. Moreover, the unnecessary expense entailed by the duplication of legislative bodies is a ground for change, often urged in Oregon.

Positive improvement in the quality of the membership of the legislature would probably result from the concentration of responsibility in

a single chamber. "The member of a single-house legislature will feel a great responsibility and a greater pride in his work. It will attract the highest capacity and integrity in the state." Finally, the elimination of one of the houses of the legislature would render much simpler the problem of the reorganization of relations between the executive and the legislative departments of the state governments.

THE CASE FOR THE ONE-HOUSE LEGISLATURE

(Excerpts from Chapter 4 of John P. Senning's "The One-House Legislature," published by McGraw-Hill Book Co., Inc., 1937. Reprinted by permission.)

The case for the unicameral legislature must be based largely upon the causes of failure of the bicameral system to function effectively at the present day in state law-making bodies. Unfortunately no one-house legislature can be taken as a basis of comparison. The single-chambered legislatures in foreign countries operate under conditions so dissimilar to those of the American states that comparison would be utterly futile. Again the three states, Georgia, Pennsylvania, and Vermont, which, early in their history, adopted and, shortly after, discarded unicameral legislatures, had one-house law-making bodies only in name. Functionally they were bicameral. Although Georgia's constitution of 1777 provided for a single-house body, in actual operation it was a two-chambered legislature because it elected from its own number a council which sat separately and acted as a board of censors upon the house itself. Hence as a law-making body, the Georgia legislature "was no more than technically unicameral." Apart from this arrangement the constitution of 1777 was unworkable and when, in 1789, a second constitution was adopted, a bicameral legislature replaced the unicameral.

The Pennsylvania constitution, framed in 1776, incorporated provisions for a one-house legislature and a board of censors chosen separately by the electors. The duty of the board "was to preserve the constitution against infraction." In carrying out its function the board of censors could recommend to the legislature the repeal or enactment of laws, order impeachments and call a constitutional convention. Its behavior proved to be violently partisan and as partisans the members gave a distinctly biased slant in their interpretation of the constitution. The situation became so intolerable that the legislature in 1790 took upon itself the responsibility of calling a convention for the revision of the constitution. The convention abolished the board of censors and substituted in its stead a senate.

Vermont's constitution, adopted in 1777, was based on that of Pennsylvania, with a one-house legislature, a governor with a council of twelve elected from the state at large, and a council of censors, thirteen in number, "elected on a general ticket septennially." The people and the press seemed to be satisfied with the legislature as constituted, but not so with the council of censors. On four different occasions the efforts of the council to substitute a bicameral body met with defeat, but the fifth time their proposal was accepted by a constitutional convention, in 1836, by the narrow vote of 116 to 113.

To attempt to use the example of the failure of the so-called one-house legislature in these three states as a reason why the unicameral system is not adapted to modern state legislatures is to admit the inability to picture the evolution of state government in the United States during the century and a half which has elapsed since the original states set up their governments, or to visualize the changes which have taken place in the social, political and economic life since the beginning of the nineteenth century. Government is not static and the machinery must be modernized from time to time. The principles of American government do not change, but the institutions in which they function must be altered in order that the principles may find full application in the social and economic environment. Thus the creation of a one-house legislature in no wise disturbs the principles upon which the legislative branch of the government is founded nor can the plan in any way threaten the political rights of the citizen, individually or en masse.

The processes by which state government in its infancy was implemented were few and simple, but the development of a vast industrial and commercial civilization brought about a situation not contemplated by the framers of state constitutions. To meet the exigencies as they arose, the machinery of government was elaborated until the piecemeal mechanism built up became so complicated, cumbrous and unwieldy that it threatened to break down under its own weight. The growth of the executive and administrative departments in this hit-or-miss fashion brought in its wake inefficiency and confusion.

The legislative branch, too, struggled in the intricate meshes of complex machinery. The method used by constitutional conventions to release the legislature took the form of procedural and functional restrictions with the result that the legislature was weakened instead of strengthened. At present the law-making body finds itself functioning in an outmoded structure and fettered by a multitude of constitutional limitations.

If there no longer exists any reason for the retention of the bicameral system for state legislatures why should not the unicameral be substituted for it? Through years of trial and error by which government expands and adjusts itself to the social and economic life of the state, the undeniable conviction has become crystalized that simplification of state government is the only means by which it can be made responsive to the needs of the people.

The taxpayer invariably inquires what effect the one-house legislature will have on legislative expenditures. A saving will undoubtedly be effected and also the public will see that it is getting worth-while results for the money expended. The amount spent for salaries is less than in the past, even though the salary per member is increased. The low rate of salaries in most bicameral legislatures has contributed to poor personnel, corruption and an unsatisfactory legislative product.

The extent to which subversive influences can corrupt a one-house legislature has been the subject of much debate. The bicameralists allege that in a small law-making body each member can be controlled and that the work of sinister forces is thereby made easy and simple. Fur-

thermore, they argue that it is more difficult to deceive two branches than one. The unicameralists assert that "If the opportunities for deception and the caliber of the membership were the same in both instances, then this statement would be true; but when the possibility of covering up the tracks of those who want to deceive is practically wiped out and when the morale of the membership is raised to the highest possible point of the citizenship of the state, then this argument falls to the ground."

The legitimate purpose of the lobby is to furnish scientific information on measures. Under the unicameral system the lobby must rely upon the presentation of its problems to the standing committee rather than upon coercive tactics concealed by the large membership and circuitous procedural machinery of the bicameral body. The professional lobbyist looks with trepidation and lack of assurance toward his work with the one-house legislature. He has previously relied upon secrecy as one of his greatest weapons. Even the most active opponents of the unicameral system admit that the lobby must at least change its technique with the one-branch assembly. With his best defense broken down by publicity and a straightforward procedure the lobbyist is thrown back upon legitimate dissemination of accurate facts as his part in preventing or promoting legislation in the one-house legislature.

What, then, in general are the alvantages of the structural change from a bicameral to a unicameral legislature? The one-house law-making body is small. Thus the importance of each member is enhanced and attention is focused both on the individual law-maker and upon the entire house as well. The procedure is simple. Each step in the course of a bill is final and there can be no shifting of responsibility to a second house. The constitutional restrictions upon procedure preclude hasty or ill-considered action and the three effective checks on the law-making body, the executive veto, judicial review by the courts and the referendum still remain the bulwarks to prevent bad legislation taking a permanent place on the statute books. "Shifty practices by which duplicate houses, committees, and sets of political leaders can accomplish improper objects and evade accountability of their acts" are eliminated.

The one-house body is economical not only because it spends less money but because the funds are expended without waste. Corruption does not thrive in the spotlight of publicity and the lobby is reduced to its appropriate function—the dissemination of accurate information to the legislature. The removal of the time limit on sessions makes for deliberation, encourages mature consideration, lessens logrolling and does away with the careless disposal of bills in the rush of the closing days. Effective lawmaking will induce respect on the part of the electorate for the legislature and in time the legislative branch will command a place of standing instead of disrepute as at present. The effect of legislative functions being carried on in a modern structure suited to the needs of the present day will result in the adjustment of the behaviorism of the legislators to an environment which will crown their efforts with popular success. The legislature, in a one-house structure, will assume a position of equality with the executive and judicial branches of state government.

NEBRASKA, A BUSINESS CORPORATION

(Excerpts from an article by Franklin L. Burdette in American Mercury, volume 34, pages 360-364, March, 1935.)

"Nebraska," said Senator George W. Norris, "must become a business corporation. The governor should correspond to the president, the legislature to the board of directors, and the people to the stockholders."

It was to the board of directors that the senator gave his particular attention, and it was a board of directors which the people of Nebraska created last November 6 when they abandoned the traditional legislature of two houses for a legislature of one house. For years Senator Norris had advocated a one-house or unicameral legislature; for years the inertia of complacent politicians had proved an obstacle which even the persistent courage of a George W. Norris could find no way to overcome The constitutional convention of 1920, after giving some consideration to the plan, proved its orthodoxy by making no recommendation. An occasional renewal of the suggestion was dismissed by practical leaders of the state's affairs as a casual irritation which would disappear with the passing of the days. Senator Norris, reasoned the politicians, had always been kind enough to inflict his peculiar ideas upon his colleagues at Washington and to leave the important affairs of the state of Nebraska to men who knew something about them. They were willing to expect him to run true to form, and they were content to regard him as a product but not as a part of the state's political machinery.

Senator Norris, however, is an unusually shrewd gentleman. He bided his time in peace. He allowed the politicians to go their varied and devious ways without any disturbance which might force them into an unhappy protest against a proposal so radical as a one-house legislature. Matters went on in Nebraska very much as if Senator Norris had never lived there: the sun rose and the sun set and the tall corn grew. Then it was that the prolonged period of economic uncertainty which optimists have called a depression, the worst drouth in the memory of thousands of Nebraska farmers, and the antics of the legislature in the session of 1933 combined to give the senator his golden opportunity. The people were loud and fervent in their exclamations that nothing could be worse than the existing situation. The senator agreed with them, and he determined to do something about it.

No one would be foolish enough to believe that a conservative and custom-bound legislature of two houses would vote to abolish itself. Senator Norris and his associates did not take the trouble to ask the legislature for that favor. Instead, they resorted to the section of the constitution which provides that 10 per cent of the voters of the state, so distributed as to include 5 per cent of the voters in two fifths of the counties, may petition for a vote upon an amendment to the fundamental law of the state. Approximately 57,000 signatures were required to place the proposed constitutional amendment upon the ballot. Its friends presented to the secretary of state a petition which contained the endorsement of 82,000 Nebraska farmers.

In drafting the constitutional amendment which he wished to sub-

mit to the people of the state, Senator Norris went far beyond the mere proposal of a legislature of one house. It is true he planned to substitute for the two chambers of the Nebraska legislature a single body with a membership of not less than thirty and not more than fifty elected from single-member districts for two years. The amendment provided that the new system should become effective in two years, and that the legislature in session in 1935 should be charged with the duty to determine the size of the new body within the limits of thirty to fifty members, and to arrange for the districting of the state.

Senator Norris campaigned the state with surprising energy for one of his three and seventy years. "Why," he asked, "should the legislature of Nebraska have two houses instead of one? The qualifications of members of both branches are exactly the same. The official duties which they are to perform are of exactly the same nature. Why should we then have two bodies instead of one, and burden our taxpayers with the necessarily increased expense, to attain the object that can be fully attained by one house instead of two?" The senator insisted that the bicameral or two-house legislature is of necessity so constructed as to invite shifting and evasion of responsibility. Members of one house, for example, often pass a measure merely because they know full well that the other house will defeat it. The legislative machinery which must accompany two chambers makes possible the concealment of a member's record from his constituency. At the same time, the character of legislation is often determined by a conference committee of three to six men appointed by the two houses. The senator declared that a single chamber would eliminate the friction between two houses which often defeats legislation, that it would bring the legislature more directly into the light of public observation and thus reduce the possibility of corruption, that it would remove the danger of control by minorities, and that it would facilitate the definite fixing of responsibility for lawmaking. The expense of a single chamber would be greatly reduced, and yet better lawmakers would be attracted by a relatively higher salary.

Nebraska, by the mandate of her people at the polls on November 6, will become a business corporation after the pattern of the most persistent and successful political reformer in America. At the same time, the practical politicians have garnered the usual fruits of their sport when the Democrats elected their candidates for the United States senate and the governorship, renewed their control of both houses of the legislature, and elected all of the state officers but one.

THE LEGISLATURE

(Excerpts from an article by H. W. Dodds in "A Model State Constitution," a pamphlet published by the National Municipal League, 1936.)

The provisions of the model constitution with respect to the legislature will seem radical to those familiar only with the traditional organization and procedure of American legislative bodies. But from the standpoint of successful experience elsewhere the changes proposed are not extreme. They are designed to secure for American practice the certain recognized advantages enjoyed by other English speaking people

and to retain and develop those features which are working well in the United States.

Our state legislatures these days come in for a great deal of public criticism. Their prestige is undeservedly low. "The legislature has adjourned. Praise God from whom all blessings flow!" is a sentiment which finds too ready approval from us all. The public resents the terrific volume of unsympathetic and illy-drafted statutes which issue from each legislative session; it feels offended at the haste and congestion which mark the closing days of the session; it resents a legislature palpably bossed but it is also impatient when the houses drift aimlessly without a boss. Those who visit the legislature are shocked by the haphazard manner in which the public business is conducted, so much at variance with their notions of the dignity which should clothe state-craft.

The fundamental cause of this low prestige is found in the failure of the legislature to adapt its organization and methods to modern conditions. The members are amateurs in legislation. The more representative they are of all the interests in the state, the more amateurish they are. But the problems with which they are faced today are highly complicated. No one person can possibly be expert in all or many of them, and yet as far as legislative methods are concerned they are being handled in the manner of the eighteenth century. This means that the legislatures are relying too much on their undirected and unaided judgment in both the preparation and disposition of extremely involved subject matter. They have not developed expert assistance on the one hand, nor responsible, capable leadership on the other. For this reason their work seems without purpose or order.

The model constitution proceeds upon the basis that the legislature is and should remain a body of laymen representative of all interests and regions, and meeting primarily to criticize and approve or reject measures brought before them by experts. A large number of these measures will have to do with the work of the administrative departments. For example, appropriations, which form the major share of the ordinary business of legislation, have to do with administration almost solely. It is therefore important that close relations be established between the legislative and executive departments. It is also important that the legislature develop within itself agencies which will enable it to gather and compile the information necessary for intelligent judgment upon the manifold problems facing it. The legislature at its best will be a body of amateurs acting upon information prepared for it by experts.

The salient recommendations embodied in the model constitution can be reduced to three: (1 The abolition of the bicameral system and the adoption of the unicameral legislature; (2) The establishment of a legislative council to collect information and submit measures for action by the legislature; and (3) closer relationship and greater harmony between the governor and the legislature.

The committee believes that a single body, chosen by proportional representation and not too large in number, will be at once more representative and efficient than the present two-chamber system. The old

arguments for two houses claim that they are more representative and more deliberative than a single body can be. But state senates are now chosen in the same manner as state assemblies. The senatorial district may be larger but the qualifications and weight of individual voters are the same in both districts. They represent the same people in the same way that the lower houses do. As long as European nations accepted an aristocracy of higher degree than the multitude there was a reason for an upper chamber. But the many no longer concede special privileges to the few and the upper house, although perhaps retained in law, has abroad been rendered almost impotent in fact. The state senates, likewise, are not now regarded as rational checks upon legislation. Doubtless they increase the effort necessary to pass legislation just as a rough road impedes the passage of an automobile, but mere obstruction is not a virtue. Intelligent obstruction may be, but the upper house rarely renders such obstruction because it is merely a pocket edition of the lower house.

A division of power between the two houses leads to a division of responsibility, to political trades, to "passing the buck." Measures often pass one house with the understanding that they will be killed in the other and from such transactions the people get a false impression as to the checking influence of the bicameral system. As former Governor Hodges of Kansas said:

"About the only purpose I have ever been able to see for the two-house system is that it enables a legislator to fool his constituents by getting a measure demanded or promised them through his branch of the legislature, and then using every effort to have it killed in the other branch."

A distinct advantage of the single-chamber system is the encouragement it affords to the development of public, responsible leadership within the legislature, and to closer cooperation between the governor and the legislature. We are all familiar with the situation which arises when the two houses are of different political complexions, or when the governor and a branch of the legislature are at odds. And yet the governor by reason of his grip on the administration and his knowledge of the working of law is naturally the one person to whom the legislature should turn for enlightenment. He is also the one person whose work the legislature should be able to inquire into with the greatest ease. The Governor should be closer to the legislature both as a leader and as a servant, but this can only come about if there is real centralization of authority within a well organized and smoothly running body. The voters can keep track of such a legislature. We mistrust our present legislatures because they so easily slip out of our grasp.

NEBRASKA CONSIDERS A ONE-HOUSE LEGISLATURE

(Excerpts from an article by Lane W. Lancaster in the National Municipal Review, volume 23, pages 373-374, July, 1934.)

One of the hoariest of American political dogmas is the belief in the system of checks and balances. In the field of legislation this is implemented in part through the bicameral system. The origins of this

system are lost in the mists of the Middle Ages and no one knows with any certainty why the lords spiritual and temporal began sitting apart from the knights of the shire and the citizens and burgesses in 14th century England. But, the division, once accomplished, there were philosophers enough willing to see in an accidental happening the working of a deep and conscious purpose.

To the political scientist bicameralism is of course defensible in a large national state or even in a provincial area where interests are many and varied and where it is therefore desirable that a place be found to exhibit clashing points of view. Or, in a class state, the different orders of society may with justice demand separate agencies for the declaration of public policy. To a degree some of these conditions still persist. Thus the senate of the United States may well claim to represent broad regions and important, if minority, interests in American society, as over against the house of representatives with its basis in mere numbers and a membership doomed by the realities of politics to a more parochial point of view.

In the typical American state, however, there are present few of the conditions which justify a legislature of two houses. So far as bicameralism is a device for encouraging deliberation and debate, its fate would seem to be involved in that of the traditional deliberative process generally. Persuasion by talk is a device of the pre-industrial age. It is not too much to say that the press and modern agencies of transportation and communication, by making almost instantly available to the legislator the will of his constituents, have reduced legislative bodies to mere machines for the registering of decisions taken elsewhere by the real, if undiscoverable, rulers of society. Moreover, the issues which have import in the modern state do not in most cases lend themselves to the traditional apparatus of what Carlyle called a "talk shop." So deeply is the subject-matter of modern legislation involved in complicated questions of technology that the wisest legislative body has surprisingly little to contribute to its elaboration. It is true that the legislature may be kept large and cumbersome to permit the "blowing off steam" and the venting of prejudices by the electorate, but this end is likely to be purchased at the cost of a good deal of intelligent tinkering.

A good section of the electorate is likely to be dimly conscious of such shortcomings at a time when the demand is for action and when the somewhat undignified antics of the legislature are costly to the taxpayer. Since logic is no great part of politics it matters little to the voter that the purposelessness of the legislature reflects rather well his own sense of bewilderment in a vexed world; he is ready to take a chance on flying in the face of "the wisdom of the fathers" at least to the extent of experimenting with his governmental machinery.

Unicameralism has been a subject of discussion in some states in every legislative year since 1913. At least ten states have considered this reform either in their legislatures or in constitutional conventions or at the ballot box. At every session of the California legislature from 1913 to 1925 the proposal to submit an amendment providing for the change to a one-house body received the support of at least one branch.

Oklahoma and Oregon actually voted on proposed amendments between 1912 and 1916 and there is a record of at least spasmodic interest in such a change in Ohio (1912, 1932), Kansas (1913), Alabama (1915), Washington (1915, 1917), and South Dakota (1917, 1923, 1927). At times there has been interest of a less definite sort in other states.

The interest of Nebraskans in the unicameral principles goes back twenty years. A joint committee of the legislature of 1913 reported that the bicameral system was not a success and that "in practice it has been found that the so-called check between the two houses results in deadlocks and the absence of real responsibility which should be felt by representatives of the people," and urged the abolition of one house. The matter was again before the constitutional convention of 1919-1920 and the submission of an alternate amendment to the present bicameral plan was defeated only by the breaking of a tie vote. Since 1920 interest has been kept alive largely by Senator George W. Norris who has advocated a single-chamber legislature from time to time, often as a part of a "model state government," which has long been one of his objectives for Nebraska.

UNICAMERAL RESULTS

(An article in Time, volume 29, page 18, May 17, 1937)

"Every professional lobbyist, every professional politician and every representative of greed and monopoly is hoping and praying that your work will be a failure . . . Your constituents do not expect perfection. They know that it is human to err, but they do expect and have a right to expect absolute honesty, unlimited courage and a reasonable degree of efficiency and wisdom . . . From now on Nebraska has a right to expect a business administration."

With these glowing words last January, Nebraska's grand old Senator George William Norris inaugurated the first session of the unicameral Nebraska legislature which he had brought into being (Time, Jan. 11). As that session drew to a close students of government, though granting that a four-month trial was no fair test, were nonetheless interested in surveying its results. These were not spectacular.

George Norris thought one small, carefully-selected, well-paid body, its members few enough to feel individually responsible, would offer smaller chance for buck-passing and lobbying than the old senate and house. Too wise last week to be disillusioned so soon, he had reason to be disappointed. Last January he asked only one favor of the new legislature: that it forward his pet scheme of a nation-wide system of TVA's by voting to link Nebraska's three big hydroelectric systems. A bill to accomplish that object died in committee, killed by a deal between its friends and foes. That has led to a widespread suspicion that with only 43 legislators now to be persuaded instead of 133, the new legislature is perhaps even more easily influenced than the old. Governor Cochran's legislative spokesman and the session's outstanding member, 35-year-old Charles Albert Dafoe of Tecumseh (fourth cousin of the Dionne quintuplets' doctor) observed last week: "It remains to be seen whether or not a small membership will be more susceptible to lobby-

ing by special interests. I believe it may be desirable in future to increase the membership."

Nebraska's legislators voted overwhelmingly last week against a return to the two-chamber system. Most of them are conservative, and no supporters of George Norris. They resolved against President Roosevelt's supreme court plan, rejected the child labor amendment by 35 to 7. Outside of an unemployment compensation bill, they showed small concern for labor and the masses—small political potatoes in agricultural Nebraska. But they extended the state mortgage moratorium law for two more years, kept in step with the New Deal march toward regulated business. Passed were bills laying down price-fixing "fair trade" rules, creating an NRA-like code for automobile dealers, giving the state railway commission jurisdiction over trucking, providing state regulation of itinerant merchants and gasoline transporters. The unicameral chiefly distinguished itself from other state legislatures in enacting only one freak statute: a section in a bill providing for licensing of undertakers which empowers a governing board to suspend any licensee who uses profane language in the presence of the dead.

One goal of the unicameral system is economy. Though legislators are now better paid, this year's session was expected to cost Nebraska taxpayers about $140,000, against $202,593 for the last regular two-house session.

NEGATIVE REFERENCES

A RE-EXAMINATION OF BICAMERALISM

(Excerpts from an article by Harold M. Dorr and Joseph A. Kitchin in the Eleventh Annual Debate Handbook, 1937-38, edited by Bower Aly, volume 1, pages 49-70.)

America is a nation of fads and faddists. To sustain this thesis, one need not seek beyond the realms of sports and politics. In the field of sports the mention of the midget golf craze which swept the country a few years since will set in motion a series of recollections sufficient to establish the point. The proposition that we are likewise a nation of faddists in politics and government, although, perhaps, somewhat less apparent, is none the less real. A cursory survey of political "styles" and "fashions" since the beginning of the present century will sufficiently demonstrate this proposition.

In support of this proposition we direct attention to some of the more auspicious of the reform movements of the present century, i. e., the initiative and referendum, the recall, the direct and the presidential primaries. Judging from these earlier experiments, we suggest that progress in the art of government is not insured by the applications of academic formulas; or, to paraphrase Dorothy Thompson, political progress was never made by a syllogism. We direct attention to these earlier political reforms not for the purpose of belittling the reforms or of disparaging those who honestly sought to raise the standard of practical politics. We wish only to emphasize the faddish character of our reform crusades, to balance actual accomplishments against anticipated gains, and to question whether or not unicameralism, as a reform movement, has not fallen into this general pattern. Is not the current objective unicameralism rather than genuine legislative reform? Have we not lost objectivity? Is it not motion rather than destination which directs the course?

In evaluating unicameralism, as a legislative reform, it is of more than passing interest to note group reactions as expressed in a nation-wide poll conducted by the American Legislators' Association in 1934. The question submitted was: "Do you think that one-house state legislatures would or would not be preferable to two-house legislatures?" In reply, forty-one per cent of those answering expressed a preference for one-house, while fifty-nine per cent were opposed to the innovation. The answers returned from special interest groups is revealing. United States senators and representatives voted sixty-nine per cent and seventy-six per cent respectively against the unicameral scheme. Seventy-six per cent of state senators were opposed to it, and of nineteen hundred state representatives questioned, sixty-six per cent preferred to keep the two chambers. Representative names were polled from the American Bar Association, the Governmental Research Association, the American Political Science Association, the American Federation of Labor, the League of Women Voters. Sixty-nine per cent of the bankers preferred bicameralism, as did fifty-five per cent

of business executives, fifty-nine per cent of the editors, and sixty-six per cent of the lawyers. Only the Governmental Research Association and American Political Science Association were overwhelmingly in favor of change, with eighty-two and eighty-five per cent of their members respectively voting therefor. About two-thirds of the A. F. of L. members polled favored the change, and sixty-two per cent of the women's groups. In commenting on these results, Professor Graves observed: "When in such a poll, eighty-five per cent of the members of the American Political Science Association voted for the change, and the legislators voted against it by percentages almost as large, one wonders whether there may not be in the situation certain practical difficulties and objections to which the students of government have not ascribed sufficient weight."

In raising the issue of unicameralism, it should be made clear at the outset that the burden of proof rests with him who advocates change. In the present case, it is his duty to demonstrate beyond question that the unicameral legislature is better adapted to existing techniques of government and that its adoption would not derange, fundamentally, the traditional American system of representative democracy. Much has been written in support of unicameralism; yet, a survey of the literature reveals a dearth of acceptable constructive argument. The case in its support is based primarily upon an alleged breakdown of bicameralism. The proponents of the single chambered legislature review the historical development of representative law-making bodies, examine, in the light of twentieth century conditions, the classical arguments advanced in support of a second house, catalogue the defects and inadequacies of the existing system and conclude that the highly publicized evils of our legislative processes are inherent in the bicameral principle. From this point of view they proceed by a series of assumptions, inferences and analogies to build a case for unicameralism. Without questioning the accuracy of these investigations or in any way impugning the scholarship of the investigator, one may properly challenge both the conclusiveness of the arguments and the validity of the methods employed.

In this spirit, we submit that the enumerated defects are not necessarily fatal, that the conclusions based upon assumption are in most cases *non sequiturs*, that the inferences concerning ancillary reforms are irrelevant and that the arguments from analogy are unsound. We believe that the unicameralists, in their studies of the legislative processes, have interpreted our delinquencies in re-evaluating those processes as evidences of our inability to effect reforms. We acknowledge the delinquencies and admit the defects and inadequacies of the prevailing system, but we believe that adequate reforms may be made within the traditional structure.

A most serious charge to be brought against any piece of legislation is that it was hastily conceived and executed. The cost in both money and respect for law of ill-drafted legislation out of accord with public opinion is all too great. The desire for wise legislative action should not blind us to the fact that sound enactment of law can pro-

ceed no faster or further than a coherent public opinion is willing to support it. To speed up the legislative process by abolishing the time-consuming second consideration of each bill by an extra chamber is without point. The time saved by unicameralism would be only in legislation itself, not in the efficacy of the law. Law making will proceed when the public is ready and makes its desires felt in the capitol. The lag of time for both senate and house consideration provides a necessary interval during which the popular mind is acquainted with the issues and finds expression on them.

The dual committee system and the conference committee to iron out differences between the houses are considered usual adjuncts of the two-house legislature. This has been seriously criticized as secretive, slow, and party-ridden. Nevertheless, it effectively disposes of a conglomerate mass of proposals which would otherwise clog the legislative machine beyond all hope. Through the division of labor among the committees the prodigious number of bills can be studied and reported to the legislators as a group. Older members of some of the major committees in each house become somewhat of experts in their own fields. Through the appointment and chairmanship of these committees leadership can be exercised in selection, reporting and steering of measures to fit the legislative program. Also, to the state solon, committee assignments, especially chairmanships, lend a sense of importance which is of no harm but rather an attraction in drawing men into legislative service. It lends them a certain feeling of power and responsibility which mere membership in a large house cannot do.

A single committee on each subject, however, is as possible under the bicameral as under the unicameral system. The joint committee system as used in the Massachusetts, Connecticut, and Maine legislatures provides for appointment of members from both houses to single committees, which hold single hearings, make similar recommendations on each of the bills back to their respective houses, and report on all bills submitted to them. The committee form is only an adjunct to the structure of the legislature.

Traditionally we have accepted concurrent majorities in the two houses as being necessary to effect legislation. This was based upon the presumption that there were really two electorates, each entitled to a separate representation. Further, under a representative system by which each man has one vote and representatives are chosen directly by a majority of voters in local electoral districts, the body thus chosen is likely to represent merely the majority of the people. The second house would represent the minority and the legislature the people as a whole. Thus legislation enacted by the concurrent majorities of the two houses would presumably express the whole of the popular will. The principle of minority representation was inherent in the second house of European Parliaments and property representation in the early American senates. Have we any criteria to determine that this situation is no longer true, that there is but one homogeneous electorate, and that minorities need no longer have representatives? If such were the case the checks of the executive veto and judicial

review are of little substantive value and a basic principle of American government is a mere chimera.

But, for the sake of the argument, let us assume that the houses present no real differences in representation. Does such an admission condemn the bicameral principle? Unless it can be demonstrated that special interests are not entitled to special representation or unless it can be conclusively shown that a single chamber will afford such representation, the simple fact that the houses, as now constituted, fail to represent different interests is no indictment of bicameralism. Such a situation is rather a commentary on the political ingenuity of the American people. It appears that the unicameralists are either confused on this issue or would deliberately confuse others. All interests will be represented in a small unicameral body, they urge, because that body will represent the interests of the state—the sum total of individual interests. Is such an argument aimed at mere structural changes or at the fundamental principles of representative democracy? If this argument is directed at the former only, it is premised upon an assumption of political, social and economic solidarity.

Political democracy may be an established fact, but social and economic solidarity is yet to be achieved. In the absence of complete unity of interests, governments must choose between two generally recognized principles: the principle of compromise and reconciliation or the principle of dominant interest. Acceptance of the first principle recognizes the necessity for a dispersion of political power and responsibility; acceptance of the second principle demands a concentration of these forces. Questions of this kind have in recent months ceased to be mere academic problems. In the strike-ridden states we have had ample opportunity to witness frantic efforts to avoid the decision. Powerful economic forces, unable to find within the fabric of government a common forum for the determination of policies, have challenged the authority of government itself. It is interesting to note that either side has evidenced a willingness to compromise but has rebelled against all attempts at dictatorial control. Confronted with these problems, one may well ponder the wisdom of a return to government by concurring majorities.

In these circumstances, bicameralism offers many unexplored possibilities, especially in that we have come to recognize a general public interest apart from, and independent of, any special group interest. A prime function of government—organized upon the basis of representative democracy—is the reconciliation of these multifarious special interests and the balancing of all against the public interest. In recognition of this dual responsibility, the lower house might well provide a forum for special pleaders with the upper house organized upon the basis of the general public interest. The legislature would thus become more truly representative and, in a proper sense of the term, a sounding board for public opinion. It becomes immaterial, in that case, whether or not the two houses share equally and jointly in the legislative processes. The important point is that the bicameral legis-

lature will provide a system of political checks and balances which will insure against dictatorial legislation by any single group. In view of the present tendency to concentrate executive and administrative authority, a dispersion of political power is essential to the preservation of democratic institutions.

Any suggestion that bicameralism is an essential element in the American system of representative democracy is at once branded by the unicameralists as the cry of the alarmist. More simplicity, greater flexibility and further centralization of responsibility, they reply, are the bases of true popular control. And in support of their assertions they turn instinctively to accomplishments in the field of reform in municipal government. With the adoption of the single chamber council, it is often maintained, the city became the best governed political unit in the United States. A discussion of the merits of the small unicameral council is not within the scope of this paper; however, two observations are in order. First, granting that general municipal reforms and reforms in the council were realized simultaneously, there are still reasons to doubt the alleged "cause and effect" relationship. It is at least interesting to note that the reform movement in our cities began to yield results with the transfer of control of utilities and related enterprises from the municipality to the state. Second, the basic functions of the council and state legislature may be so dissimilar as to invalidate the argument by analogy.

Arguments by analogy are at least dangerous. In the present case the argument is doubly dangerous in that the city council is not an independent legislative body. The city is merely a corporate arm of the state with limited discretion and responsibility. The state legislature, more like a national Parliament, has many of its limitations self-imposed and speaks as a primary voice of the sovereign people within the confines of constitutional definitions. The municipal council is more nearly analogous to a state administrative commission to which has been delegated certain legislative functions than it is to the legislature. Although the state legislature continues to perform, either rightly or wrongly, many functions of an administrative or supervisory nature, it is first of all "the state's organ to strike out along new paths and to develop new lines of policy for the state."

In this connection, attention has been called to the fact that our constitutional conventions have been without exception unicameral. One writer goes so far as to suggest that the people have found it necessary to convene unicameral conventions to correct the mistakes of bicameral legislatures. In raising this argument, the unicameralists weaken rather than strengthen their position. The drafting and adopting of constitutions, almost better than any single popular function, emphasizes a confirmed belief in a system of political checks. Single-house conventions have been convened, not because of confidence in unicameralism, but because the constitutional convention has been charged, traditionally, with but a single function—the drafting of the fundamental law. The second and by far the more important function—the adoption of the constitution—has been reserved, not to a

second chamber, but to the people in their original capacities. Any nineteenth or twentieth century exceptions to this general principle serve only to emphasize the wisdom of the practice. This argument from analogy, we believe unsound; but, if the unicameralists insist upon pressing it, we challenge them to rummage among the records and papers of some of the nineteenth century conventions.

A much belabored supplementary argument is the case presented for the nonpartisan selection of legislators. Because we believe the argument to be irrelevant and immaterial, we hesitate to press the point. In view of the natural and insistent demand for responsible leadership, the influences of the political party cannot be merely legislated away. The nonpartisan selection of legislators has been used in Minnesota for a number of years but has not succeeded in destroying party identity of candidates. A similar provision was incorporated in the Nebraska amendment by which the unicameral experiment was instituted. There, likewise, party identity is still recognized. However, if party influences will submit to legislative extermination, and, if nonpartisan nominations and elections prove distinctly superior to party selections, the principle will operate no less smoothly in the one case than in the other.

As stated at the outset of this article, its purpose is not to whitewash the shortcomings of bicameralism as it often operates in the states today, but rather to seek the intrinsic and potential merits of the system which could be matched with the advantages of a single-house body. Now unicameralists, hotly debating the present prevailing practice, assume for themselves a number of ancillary reforms which are not intrinsically related to their major interest, but are commendable and equally valid for any legislature. A shorter ballot, cleaner and more public election procedure, more equitable representation, higher qualifications for legislators and longer terms conducive to greater experience, and improved legislative procedure such as the use of electric flash voting and elimination of antiquated rules: all of these are desirable and much needed reforms. They are by no means restricted to operate in only one kind of legislative structure.

In this connection, we desire to emphasize one point. State legislatures have been severely criticized for attempting to function under complex and antiquated rules. This criticism is generally construed as an argument against bicameralism; yet, at no other point in the legislative process, are the houses more independent than in determining their own internal organization. In the determination of its rules and the internal management of its own affairs each house functions as a separate unit. In emphasizing this feature of American legislatures, Professor Willoughby stresses three characteristics: (1) that the houses are relatively free from constitutional restraints, (2) that each house is independent of the other, and (3) that no legislature can be bound by the actions of a preceding legislature. In this respect, state legislatures are unicameral.

There are, finally, certain weaknesses of unicameralism which cannot be explained away. Failing as a distinctly superior alternative to

bicameralism, it shows certain inherent defects distinctive to itself. By a mere structural alteration, the mechanics of legislation will not be changed materially, and, hence, the unicameralist is forced to incorporate the previously mentioned reforms in selection, procedure and leadership of that body. We must assume these as essential to any claimed superiority in its operation.

Accepting this basis, it is evident, first, as previously elaborated, that a body as small as any proposed for one house cannot be truly representative. Its restricted size precludes representation of all distinct interests and elements, is therefore more conducive to complete control by one or a very few interests, and cannot conceivably solve the modern problem of balancing representation to care for population inequalities.

Second, there are certain duties performed by each of the two houses separately at present which could not be well combined into one. The senate alone has the prerogative of confirming gubernatorial appointments, which can never be entirely displaced by any merit system; and the houses divide their function of impeachment, the lower house bringing the charges for trial before the upper in all but two states. These two functions are necessary safeguards in any government except one that unites all power in the hands of a single agency. They are particularly a protective arm against executive aggression, as American political theorists have pointed out since the publication of the *Federalist Papers*. Modern fears of executive domination would be confirmed by the removal of this legislative check on the governor.

In the third place, to stress the efficiency aspect of a single-chambered legislative body, rather than its deliberative character is to distort its true function. The legislature is not intended to serve as an administrative agency, for that is more essentially an executive task. Fundamental liberties are not amenable to encroachments to effect a hasty remedy. This has been effectively stated by Luce, in his case for bicameralism: "Some day it is going to be recognized that government has come in our time to have two distinct functions—one it has always had, the function of justice; the other, the new function of business. When these come to be handled separately, the function of business may very well call for unicameral treatment, as in the case of all business corporations. Justice, however, the rights and wrongs of men, will always call for those methods that secure adequate caution, deliberation, reflection, assurance."

Fourth, is this proposal not essentially a direct avenue to a centralization of power? A telling argument when the unicameral change has been proposed in several states is that it would essentially necessitate a cabinet form of government to function as projected. Close executive leadership in the legislature can be founded on only two postulates: responsibility of the executive to the legislature as in the cabinet system, or executive dictatorship over the law-making body. Our state executive is separated by constitutional mandate from the other departments. Those who desire to effect a major change from this should frankly avow their purpose, that it may be considered on its merits.

The Model State Constitution, classic of unicameral schemes, attempts a compromise by giving the governor and his chief executive officers a seat, without a vote, in the legislature, placing him on the legislative council, and making provision by which the refusal of the legislature to enact his program can be referred back to the people. In turn the legislature may remove the governor from office upon concurrence of two-thirds of all members-elect, and may refer a measure to popular mandate from a gubernatorial veto by a majority vote of the legislature. This is in many essentials a cabinet system, but weakened by hybrid principles that preclude effective responsibility of either one of the departments.

Lastly, the idea of unicameralism is, if one may be so frank, a scheme which does not emanate from, but is supported by, that ubiquitious class of professional reformers in government. Tied to magic words of "efficiency," "economy," and "modernity" they see little to salvage from our present rather ponderous democratic system. Executive control, a unicameral legislature, completely scientific personnel administration, and removal of checks and balances which temper the action of present departments, would undoubtedly work a revolution in government. Yet we cannot but ponder this point, do we really wish a revolution? Bagehot, the great English constitutional scholar, may be now considered old-fashioned and "inefficient," but still a little wise when he wrote: "With a perfect lower house it is certain that an upper house would be scarcely of any value. If we had an ideal house of commons perfectly representing the nation, always moderate, never passionate, abounding in men of leisure, never omitting the slow and steady forms necessary for good consideration, it is certain that we should not need a higher chamber. The work would be done so well that we should not want anyone to look over or revise it. And whatever is unnecessary in government is pernicious . . . . But though beside an ideal house of commons the lords would be unnecessary, and therefore pernicious, beside the actual house a revising and leisured legislature is extremely useful if not quite necessary."

AN IDEAL STATE CONSTITUTION

(Excerpts from an article by William B. Munro in the Annals of the American Academy of Political and Social Science, volume 181, pages 1-10, September, 1935.)

We are all idealists, for man is born to act, and he cannot act without consciously or unconsciously affirming the worth of some ideal. There have been idealists in politics since the days of Plato, undismayed by the seeming impossibility of transmuting their dreams into realities. The vision of a great community, governed to perfection in all its parts, is one of the oldest in human history. The literature of statesmanship, from Moses to Mussolini, is saturated with it. And in spite of doubts and dogmas, there will always be those who choose to speculate on what government might be if people would only follow the light.

There has never been an ideal state constitution in America, and perhaps there never will be. Certainly no constitution would be uni-

formly ideal for all the forty-eight states in our imperial area. Montesquieu was right when he averred that the best constitution is the one which best suits the genius and the traditions of the people who live under it. Massachusetts and Mississippi are under the same flag, and speak (more or less) the same language; but they have little else in common. There is no good reason why they should require the same body of fundamental law. That is the difficulty which one encounters in any attempt to frame a "Model Constitution" suitable for any or all of the forty-eight commonwealths. In such an enterprise one must start with the assumption that there is a fair approach to uniformity in the needs, the traditions, and the political orientation of all the states, which is far from being the case. Nevertheless the effort is worth while, if only to set up a standard to which the wise and honest may repair, with due allowance for variations in local circumstances.

America is the classic land of constitutions. We have probably had more experience with the making and unmaking of them than all the rest of the world put together. Forty-nine formal constitutions, together with the organic laws upon which the governments of the insular territories are founded, have provided us with abundant scope for adventures in constitutionalism. Hardly a year goes by but constitutions are amended, revised, or replaced. The constitution of California, for example, has been amended nearly 200 times during the past half-century. Thus the United States has been doing service as the world's chief laboratory for experiments in constitution-making.

It is difficult to determine when Americans began to be familiar with the idea of a constitution as a fundamental instrument of government. Some of the colonies had charters which were in effect written constitutions. They set bounds to the powers of the colonial authorities. In all the colonies, moreover, the common law of England was regarded as the bulwark of individual liberty, a compendious bill of rights which protected the people against the exercise of arbitrary power on the part of their rulers. Prior to the Revolution, therefore, the inhabitants of the thirteen colonies had acquired considerable familiarity with the idea of a higher law which established the frame of government and safeguarded the natural rights of men.

The Revolution involved the necessity of transforming colonial governments into state governments. In some cases this was an easy task. Rhode Island and Connecticut merely made a few changes in their colonial charters and let it go at that. Other colonies gave the matter more thought and took more time. The Continental Congress, in advising the establishment of new state governments, proffered no counsel as to the form which these should take or the basis upon which they should rest. Accordingly, each of the newly independent states took its own course, but as they were all permeated by much the same general political philosophy, the results were not widely different when they got through.

This political philosophy enshrined a number of principles, of which two stand out most prominently. The first was the idea that government is at best a necessary evil. The people of all the colonies had been well

schooled in this point of view by those two stalwarts of philosophic liberalism, Thomas Paine and Thomas Jefferson. Paine wrote:

"Since the aim of government is freedom and security, it follows that whatever form of government appears most likely to insure these objectives, with the least expense and greatest benefit, is preferable to all others. . . . The more perfect a civilization is, the less occasion it has for government."

The natural-rights philosophy, to which Jefferson gave allegiance, placed its emphasis on the individual, not on the community. In the belief of the great Virginian, mankind did not get its rights from constitutions, charters, or governments; these things had their sole justification in a capacity to guard natural rights which the citizen already possessed. The second outstanding tenet in the political philosophy of this constitution-making era was a corollary from the first. If government is to be effectively restrained from an excess of activity, it must be kept close to the people. Not only must it rest on their consent, but this consent must be frequently renewed. Consequently all officers should be elected for short terms. Nine of the earliest state constitutions provided a one-year term for the governor, and in six of them there was a stipulation that both branches of the state legislature must be renewed annually. The point was pressed so far in Rhode Island and Connecticut that provision was made for the election of the lower house every six months. All these early constitutions betrayed the prevailing fear of governmental autocracy, particularly at the hands of the executive. Leadership was regarded as potential tyranny, so the legislatures were equipped with no provision for it.

This distrust of executive leadership was a product of colonial experiences. The royal governors, being agents of the home administration, had to carry out instructions which were sometimes extremely offensive to the people. So the framers of the new state constitutions exalted the legislatures and reduced the governors to "mere ciphers," as James Madison phrased it. On the other hand, they were not prepared to trust the legislatures overmuch; hence most of the constitutions contained bills of rights limiting the powers of the legislative bodies with respect to the life, liberty, and property of the citizen.

In summary, then, the original state constitutions attempted to set up governments which would do very little governing and keep close to the people, with weak executives, and legislatures firmly bound by bills of rights. They were short documents because they dealt only with fundamentals. The Virginia constitution of 1776 used only 1,500 words. The people of the post-Revolutionary era did not attempt to enact a code of laws under color of framing a constitution.

From all this, however, we have drawn steadily away. Constitution-makers during the past 150 years have greatly elaborated the provisions relating to the frame of government. They have developed the habit of specifying in minute detail the powers which the various organs of government are to exercise and the procedure which they must follow. The idea that state governments shall confine themselves to a minimum of activity has long since passed into the discard. It has given place to the

doctrine that these governments should busy themselves with all sorts of regulatory functions in the interests of the collective citizenship, no matter how much they may constrain the freedom of the individual. The old natural-rights philosophy has faded from the public mind and has been replaced by the doctrine which was embodied in the Roman maxim: *Salus, populi suprema lex esto.*

Bills of rights have also undergone a relentless expansion. To a considerable extent these guarantees and limitations merely repeat the first ten amendments to the national constitution, although in much more prolix phraseology. In addition, many of the newer state constitutions contain numerous supplementary guarantees, most of them either superfluous or meaningless. They assure to the citizen various rights which under the terms of the national constitution could not be taken away from him. In fact it has become an American habit to find place in the state constitution for a whole series of primordial platitudes concerning human equality, the rights of man, the duty of law observance, the inviolability of private property, the dignity of labor, the value of education, and the sanctity of every citizen's home.

Likewise, the elaboration of these constitutions is due in some degree to public dissatisfaction with the decisions of the courts. Provisions are frequently inserted in the attempt to make sure that statutes relating to particular matters shall not be shattered on the rocks of unconstitutionality. Special interests of various kinds—labor organizations, the farmers, the banks, the public utility companies, the cities, the school teachers, and so on—endeavor to obtain constitutional security against the taking away of what they believe to be their rights. The inclination in many instances is to look upon the state constitution as a means of keeping the courts from nullifying laws which can be put through the legislature by group pressure in derogation of other people's rights.

How can this situation be improved? What changes in the form and the content of state constitutions are desirable in order to bring them nearer the ideal of what such documents ought to be? The answer given to this question cannot, of course, be a short and simple one, nor will it satisfy everyone. On the other hand, unless the existing state governments are deemed to be beyond improvement (which no one believes), any man's honest answer to such an important question is entitled to a hearing. Thomas Jefferson, in 1783, set forth his conception of an ideal state constitution. It was promptly consigned to oblivion by his contemporaries. Any revisionist of today whose proposals share the same fate will at least have the consolation of being in good company. So here are some propositions which for clarity are set forth in categorical form:

I. A state constitution should confine itself to fundamentals. This of course begs a question as to what one means by "fundamentals." True enough, it is hard to define, but everybody knows what it means. Or, if any one does not, he need only read the constitution of the United States to acquaint himself with an organic document which comes measurably near fulfilling the requirement. The model state constitution of the National Municipal League, although one may disagree with its individual provisions, is likewise a document which confines itself (save

in a few minor matters) to the fundamentals of government. It is only by strict adherence to such a policy that a constitution can be kept from eventually becoming a code of laws with no constituent earmark except its name.

II. The bill of rights should be reduced to a minimum. It seems to be taken for granted that unless individual rights are constitutionally guaranteed and rendered enforceable by the courts, they are certain to be infringed. Such has not proved to be the case in other countries. There are no bills of rights in the constitutions of Australia or Canada, yet the liberties of the citizens are quite as well respected in these dominions as in any of the American states. In some ways they are more secure because they do not depend for their scope or efficacy upon the formularies of judicial interpretation, but are grounded upon popular tradition and a sense of fair play. Freedom of speech and of the press exist in Canada, but not because there is any constitutional barrier to their infringement. It is because the people would turn out of office any government that ventured to interfere with them except for very urgent reasons.

In many of the American states, on the other hand, the broad guarantees of civil liberty embodied in bills of rights have been either circumvented or whittled down by resort to juridical sophistry. Take, for example, the provision which requires "due process of law." Innumerable decisions have been made by the courts in the endeavor to make clear what constitutes due process. Whole books have been written about it. But even at that, no one can tell you what it means. "Few phrases in the law are so elusive of exact apprehension as this," said the supreme court of the United States on one occasion. A provision which is "elusive of apprehension" even at the hands of such an august tribunal can hardly be looked upon as a dependable bulwark of protection against the deprivation of life, liberty, or property.

Due process, as a matter of fact, does not guarantee judicial process. It does not avail to prevent deprivations of property in the exercise of police power. It has not prevented arbitrary action by public officials in the levying of special assessments or the sale of property for delinquent taxes.

On the other hand, it is worthy of note that some constitutional provisions which are not subject to judicial enforcement have been reasonably well observed by the public authorities. An illustration is at hand in the case of the rules relating to the interstate rendition of fugitives from justice. The national constitution stipulates that such fugitives, on proper demand, "shall be delivered up" by the governor of the state to which they have fled. Many years ago, however, the supreme court decided that it would not intervene to enforce compliance with this provision on the part of any recalcitrant governor. The extradition of fugitives is thus purely a matter of executive discretion. A governor may refuse a requisition for any reason or for no reason at all. The constitutional provision, accordingly, is devoid of any judicial sanction. Nevertheless it is almost universally respected by governors. Only in the rarest cases is there the slightest reluctance to comply with it.

All of which goes to prove that where a course of action is clearly

dictated by the general well-being, it will be followed irrespective of constitutional compulsion. By the same token, when the governing authorities are compelled by constitutional requirements, judicially enforced, to follow policies or procedures which are not generally regarded as being in the public interest, they will seek and usually find means of evasion. The provision in the national constitution with reference to negro enfranchisement has furnished us with an illuminating lesson on this point.

So it has been suggested that a bill of rights ought to contain precepts, not guarantees. It should set forth a creed of individual liberty, a series of things which the public authorities are expected (but not compelled) to do or not to do, as the case may be. These precepts would not operate as ironclad mandates or restrictions, to be scrupulously observed under all circumstances, on penalty of having legislative actions declared unconstitutional. This would transfer the responsibility from the courts to the legislature and from the legislature to the electorate, where it belongs. The ill-starred Weimar constitution of the German reich incorporated such an arrangement, but owing to the vicissitudes of Teutonic politics, it never received a fair trial. "The house of every German is his sanctuary and is inviolable," this constitution declares. Then there is added the qualification that "exceptions are permissible only under the authority of law."

III. The framework of state government should be simplified. State legislatures are too large. They should be considerably reduced in size. Many reputable political scientists believe that every state legislature should be reduced to a single chamber, and Nebraska has made provision for the inauguration of a unicamaral legislative body in 1937. The usual argument is that a single chamber will serve the ends of economy, simplify procedure, provide a greater concentration of responsibility for legislation, and secure the election of better men as representatives. The two-house arrangement was designed as a check on hasty and ill-considered lawmaking; but with the rise of the party system, it is argued, this purpose is no longer served. When both chambers are controlled by the same party, one does not in reality serve as a check on the other. When they are controlled by different parties, the result is a series of deadlocks from which important legislation cannot emerge except through the making of unsatisfactory compromises.

It is contended, moreover, that the executive veto has become a much more efficient check on legislative impetuosity than it was expected to be when the bicameral system was adopted, and that the judicial review of legislation affords an additional protection. Finally, in many of the states there is a provision for invoking the referendum against laws which any kind of legislature might enact hastily or without giving due consideration to the public interests involved. In a word, it is suggested that the executive, judicial, and popular checks upon the legislative action are now sufficient to warrant the abolition of the bicameral system in the states.

Even if one admits the cogency of these various considerations, however, there seem to be reasons why the bicameral plan ought not to be

lightly abandoned, at any rate by some of the states. First among these is the deepseated popular conviction that areas as well as people have diverse interests and ought to be represented in the process of lawmaking. Single-chamber legislatures may be desirable for Nebraska, Wyoming, Montana, or Mississippi, where the population is relatively uniform in its distribution; but it does not follow that the same is true of New York, Illinois, Pennsylvania, California, or other states which have a sharp differentiation between the rural and urban elements of their electorates. In not a few instances, a single chamber based upon population would be controlled by the large cities; in some cases, by a single metropolitan community. In all matters on which there is a cleavage of interest between urban and rural, the former would decide the outcome. The strongest practical reason for the continuance of the double-chamber system in some of the states is the rural conviction that any other plan would spell urban supremacy in state government.

This suggests a pertinent question, namely, whether the divergence between rural and urban interests is as great as it is commonly alleged to be. Do rural and urban legislators, as a matter of fact, vote on opposite sides of important questions, or do they usually split among themselves? No reliable data, so far as is known to me, have been gathered on this point, but casual observation engenders a suspicion that the urban-versus-rural conflict in legislative halls may be one of the numerous myths of American politics. Nevertheless, a belief in the divergence of interest between the two branches of the electorate is firmly grounded in many of the states and must be taken into account whether it squares with the facts or not.

In any event, the quality of state government does not depend upon the question whether there are two legislative chambers or one. Most of the advantages claimed for the unicameral system can be obtained by reducing the existing legislatures in size, giving the members longer terms, simplifying the procedure, having joint committees (as in Massachusetts), and making better provisions for leadership in the process of lawmaking. Without leadership, a single chamber is not likely to function much better than two. The point is sometimes made that the Canadian provinces get along very well under a single-chamber system, but this is irrelevant to the issue. The federal Parliament of Canada has two chambers and does quite as well, or better. The reason in both cases is the fact that the Canadian system provides the legislative bodies with definite, recognized, responsible, executive leadership, which the American system of state government does not.

TWO CHAMBERS OR ONE

(Excerpts from Robert Luce's "Legislative Assemblies," published by Houghton Mifflin Co., 1924, pages 24-42. Reprinted by permission.)

It has been said that more than half of the American colonies began with unicameral legislatures. If the statement is accurate, which is doubtful, it is but half a truth. The one sitting of a powerless assembly in Georgia ought not to count; the Carolinas should really be out in the bicameral column; New Hampshire and Rhode Island had but

the briefest acquaintance with the single chamber, before they got fairly under way. The fact is that the greater part of the colonies had no appreciable experience with the one-chamber system. Massachusetts, Connecticut, Maryland, and Virginia may be said to have given it a thorough trial before arriving at two chambers. Pennsylvania alone took the opposite course by changing in colonial times to one.

When the Revolutionary crisis forced Americans to decide how to govern themselves, only those living in Pennsylvania and Delaware knew from personal experience anything about single-chambered legislatures. Pennsylvania and her imitator, Vermont, alone saw fit to frame a state constitution intrusting the making of laws to a single body uncontrolled. Frequently it is said that Georgia had only one chamber, but study of the constitution of 1777 will disclose the fact that her legislature was no more than technically unicameral. A council there had an important part in lawmaking. This body was chosen by the representatives from among their own number, two for each of the sizable counties. After the second reading of every bill, it had to be sent to the council, "for their perusal and advice." To be sure, this gave the councilors no power of direct veto, but the moral effect of their advice must have been considerable. Their right to propose amendments was recognized, for the constitution said that when a committee from the council came to the house with proposed amendments, its members should, while sitting and covered, deliver their reasons, the whole house at that time, except the speaker, uncovered. A senate was definitely created by the constitution of 1789.

The Georgia plan of 1777 was not a long step from that of South Carolina, devised early in the year before. The "Congress" framing the South Carolina constitution turned itself into a lower branch, the General Assembly, which was to elect out of its own number an upper branch, the legislative council.

Natural as it was that the newborn states should for the most part continue accustomed methods of lawmaking, this was not done without earnest discussion and much difference of opinion. Appointed upper houses had everywhere brought friction. In Massachusetts the episode of the mandamus councilors bred bitterness. The temper of the people may be judged by the action of the town of Ashfield, which voted, October 4, 1774, "That the assembly of this state consist of one elective body, the members of which shall be annually elected." Massachusetts lived for five years after Lexington and Concord with but one lawmaking body. Yet the leaders felt that it was not wise for a permanent policy. John Adams, whose views on constitutional questions dominated in the end, set down those pertaining to this particular matter in 1776, in his "Thoughts on Government." As a comprehensive statement of the arguments that decided our fathers, they are worth quoting, "I think," he said, "a people cannot be long free, nor ever happy, whose government is in one assembly."

Another powerful thinker, James Iredell, had said to the North Carolina convention, July 25, 1788: "It will often happen that, in a single body, a bare majority will carry exceptionable and pernicious

measures. The violent faction of a party may often form such a majority in a single body, and by that means the particular views or interests of a part of the community may be consulted, and those of the rest neglected or injured. Is there a single gentleman in this convention, who has been a member of the legislature, who has not found the minority in the most important questions to be often right? Is there a man here, who has been in either house, who has not at some time found the most solid advantages from the cooperation or opposition of the other? If a measure be right, which has been approved by one branch, the other will probably confirm it; if it be wrong, it is fortunate that there is another branch to oppose or amend it."

Notice that Iredell too was appealing to experience, the most convincing of teachers. Let it not be thought that the men who framed our constitutions built them on the basis of *a priori* reasoning. They knew what had happened and they learned from what they observed. Take another illustration, that of the opening speech of Charles Pinckney in the South Carolina convention. "In Maryland," he said, "one branch of their legislature is a senate, chosen, for five years, by electors chosen by the people. The knowledge and firmness which this body have, upon all occasions, displayed, not only in the exercise of their legislative duties, but in withstanding and defeating such of the projects of the other house as appeared to them founded in personal and local motives, have long since convinced me that the senate of Maryland is the best model of a senate that has yet been offered to the union."

The best argument for a thing is usually to be found in the circumstances of its origin, since that usually came about through a natural response to an evident need. Variety in legislative chambers began through the need of representing different states, different orders of men. So long as two chambers gave representation to the two predominant social groupings that may as well be called the classes and the masses as anything else—or if you prefer, the aristocrats and the democrats—advantages were evident. With the triumph of democracy, in our country at least, the walls protecting the upper house have crumbled. Property qualifications have disappeared. The constituencies of senators and representatives differ only in size. That in this respect they differ unevenly is nowadays made ground for complaint rather than praise. It is pointed out that this encourages unfair apportionments, regardless of numbers, as where each county gets one senator, or, as in the case of Connecticut, with allotment of representatives by towns. Because this usually gives an interest—the rural, farming interest—influence beyond its numerical ratio, it is now declared unfair where once the supposed benefit would have left no room for blame. Any representation of classes, indeed, is declared to be undemocratic. The only sort of representation of interests that still wins general approval is the representation of states in federations, and even this is challenged by those who fret because Delaware or Arizona carries as much weight as New York or Pennsylvania in the federal senate.

The old justifications have gone. Have new justifications come?

Yes; and they are neither few nor unimportant.

First I should place the lesson of experience that two chambers conduce to deliberate action. Long ago Paine saw that, "the objection against a single house is, that it is always in a condition of committing itself too soon." A story used to be told of George Washington. It may or may not have been true, but it is none the less illuminating. He said he was to have been asked at a friend's table why he had aped the feudal institutions of Great Britain to the extent of having a select as well as a popular house in our Congress. His hostess had just helped him to a cup of tea, so hot that it was sending forth a cloud of steam. He poured a part of the tea into his saucer, and let it stand long enough to cool before drinking. "This cup," said he, "is the house of representatives. Its contents have come directly from the people, who may be in a state of great excitement. This saucer is the senate, in which I can hold the scalding liquid till its heat has subsided enough to make it safe to drink."

Nobody who has served in a large legislative body can fail to remember times when it was swept off its feet by some burst of eloquence, by a passionate appeal of sympathy, by some highly colored story of injustice, when all rules would have been suspended and an unwise measure hurried to enactment had not the other house stood in the way of impulsive action. To make haste slowly is nowhere more useful than in legislation. The danger is evident. Yet the advocates of the single chamber have an answer not bad. They say that the governor's veto and the referendum are safeguards enough. They point to city governments. During the greater part of the nineteenth century most American cities had councils of two chambers. Now these have been widely replaced by single chambers. No harm has come. In rebuttal, however, it is to be said that a city council is not a law-making body. Its acts have not the importance or standing of laws. So the courts have held. In Whitcomb's case, 120 Mass. 123 (1876), Chief Justice Gray said: "The city council is not a legislature. It has no power to make laws, but merely to pass ordinances upon such local matters as the legislature may commit to its charge, and subject to the paramount control of the legislature." The mistakes of a city council are seldom both serious and irretrievable. Quite otherwise might it be with an act of a state legislature or Congress.

John Stuart Mill thought another line of reasoning more important. "I attach little weight," he said, "to the argument oftenest heard for having two chambers—to prevent precipitancy, and compel a second deliberation; for it must be a very ill-constituted representative assembly in which the established forms of business do not require many more than two deliberations. The consideration which tells most, in my judgment, in favor of two chambers (and this I do regard of some moment) is the evil produced upon the mind of any holder of power, whether an individual or an assembly, by the consciousness of having only themselves to consult. It is important that no set of persons should, in great affairs, be able, even temporarily, to make their *sic volo* prevail without asking anyone else for his consent. A majority

in a single assembly, when it has assumed a permanent character—when composed of the same persons habitually acting together, and always assured of victory in their own house—easily becomes despotic and overweening, if released from the necessity of considering whether its acts will be concurred in by another constituted authority."

In this matter of checks and balances we find criticisms looking both ways. Some, by averring that their disappearance has taken away from the two-chamber system its advantages, seem to admit that there were advantages. Others, by blaming the system for its deadlocks, seem to imply that checks and balances are harmful. A deadlock is a situation where each of two groups of men, ordinarily honest, is so sure that it is right that it will not yield. If each persists, the outcome is inaction. This means delay, and where each chamber has the strength and depth of feeling a deadlock shows, is it not on the whole advantageous to have delay until opinion enough can gather to compel action?

No argument is necessary to prove that the study of a measure by two houses rather than one ought to bring it to more of criticism and ought to result in better legislation. The retort is that the possibility of a second examination tempts the body first scrutinizing to be hasty, careless, and shipshod in its work. Of course this can do no harm unless the second body assumes that the first scrutiny has been adequate and dispenses with any of its own part. That is possible, but my own observation does not lead me to think it frequent. Usually each house takes a malicious pleasure in detecting some bit of carelessness on the part of the other.

It is also averred that sometimes the second house resents being forced to take the responsibility of rejecting a measure already passed by the first house, and lets the measure go through. This is also possible, but has not come within the range of my own observation.

Far more serious is the charge that bad bills are passed by one house in the confident expectation that they will be killed by the other. That takes place. Not a word is to be said in its excuse. Yet it may be pointed out that, if the second branch does its duty, no great harm has resulted. If it fails to do its duty, there is nothing to show that it would not likewise have failed had it been a single chamber. The fact is that while legislatures like men are sometimes impelled by petty motives, yet good impulses predominate. Two houses may now and then show themselves guilty of mean or sordid impulses, but such foolish exhibitions are so rare as to warrant ignoring them when set against the much more frequent instances of healthy, earnest rivalry in search for the public welfare.

It is urged both for and against two houses that they hamper the influence of the individual member. On the one hand, it is argued that there is danger in the persuasive oratory of a brilliant man who can carry his point by appeal to passion or prejudice, and that it is useful to have a calmer consideration of his project by a body not subject to his eloquence. On the other hand, it is averred to be a misfortune that a master of a subject, one capable of convincing if he can get a hearing, may present his arguments to only one of the two bodies. In the other

he must find some champion. It is almost certain that he can find there nobody so well informed as himself on this particular matter, nobody willing to give all the time he has given to its mastery, nobody who will match his enthusiasm and zeal. Of course this condition militates against hasty changes in the statutes. Also it can be urged with force that no measure ought to become a law unless it can find at least two ardent supporters, one in each branch. Yet when you consider how many of the great reforms have been due to the energy of solitary men, inspired by individual conviction, it would appear that the bicameral method is not without its drawbacks.

This phase of the subject brings out another consideration. The psychologists are summoned to support the theory that the individual will is usually merged in the mass will of a legislating body. The result is the development of the mob spirit, where impulse gets the better of reason. Anybody who has served in a legislature has seen this work. With two chambers it is not likely that each will be affected by a wave of prejudice or impatience or suspicion. Yet it is equally true that with two chambers the chance that a good measure will be thus defeated is twice as large as it is with one.

It is said that it is harder to corrupt each of two chambers than to corrupt a single chamber. Yet everybody knows that with two chambers the briber has two chances to accomplish defeat.

Two chambers divide some of the work, for a measure rejected by one need not take the time of the other. Against this is put the time taken by a second consideration of measures that one body has approved. As to the time cost James D. Barnett, of the University of Oregon, writing in the American Political Science Review of August, 1915, on "The Bicameral System in State Legislation," made this statement: "Under the present conditions in our legislatures the elimination of one house would reduce the mass of business submitted, approximately in proportion to the number of the members of the house eliminated, and thus by that much remove the difficulties in the way of deliberate action." Had he ever served in a legislature, or if having served he had used his pencil, he would have found that but a small part of legislation originates in the brain of a member. Most of it is brought to members and that part would not be reduced in quantity by a single measure were there one house in place of two.

The money expense of a second chamber is a make-weight often thrown into the discussion. Stated without qualification, it is an unfair argument. If a second chamber is to be abolished because it adds to expense, then both chambers ought to be abolished, for the saving would be twice as great. Of course the real question is whether the extra cost of a second chamber is repaid by public benefit. The Bureau of Municipal Research was a little extravagant when it said that the second chamber "adds enormously to the cost of government." The cost of a senate to each inhabitant of a state is trivial. It does not greatly increase what may be called the legislative overhead charges. If it is in fact a real safeguard, its cost is unimportant.

It has been urged that constitutional conventions have always been

one-chambered bodies. True, but save in the earliest state period, when various constitutions were put in force without submission to the people, the people have as a matter of fact almost invariably constituted a second chamber. We have come to the practically universal opinion that it is not safe to let a single body, unchecked, alter the fundamental law.

If in balancing the arguments I have thrown the scale in favor of the bicameral system, it is partly because long personal experience in the Massachusetts legislature led me to believe its merits outweighed its defects. As to whether this is the case in other state legislatures under present conditions, I can give no testimony based on personal observation, but no ground presents itself for thinking that in most of them the same conditions would not hold. What will occur when our law-making methods are reorganized to meet modern needs is another story. Some day it is going to be recognized that government has come in our time to have two distinct functions—one it has always had, the function of justice; the other, the new function of business. When these come to be handled separately, the function of business may very well call for unicameral treatment, as in the case of all business corporations. Justice, however, the rights and wrongs of men, will always call for those methods that secure adequate caution, deliberation, reflection, assurance.

THE STATE LEGISLATURES: THEIR POWERS

(Excerpts from Woodrow Wilson's "The State," published by D. C. Heath & Co., 1918, pages 315-318. Reprinted by permission.)

The state constitutions supplement the constitution of the union, providing for the exercise of all powers not bestowed by the federal charter; and the legislatures of the states may be said, in general terms, to possess all law-making powers not given to Congress. But this is by no means a complete statement of the case. State constitutions contain strict limitations of power no less than does the constitution of the United States. Some powers there are which are altogether withheld: which cannot under our system be exercised by any existing authority: which have been granted neither to Congress nor to the legislatures of the states. Such, for example, are the power to grant to any person or class of persons exclusive political privileges or immunities, the power to bestow hereditary privileges or honors, and the power to abridge in any way the equal rights to life, liberty, and property. These may safely be said, however, to be powers which no state legislature would in any case dream of exercising, inasmuch as they would have to be exercised, if exercised at all, in the face of a public opinion which would certainly refuse reelection to any legislator who should violate the principles of republican government so strenuously worked out in our history, from Magna Charta down, and now so warmly cherished by all classes of our people that no denial of them could stand upon our statute books a single twelve-month. These are at most limitations put upon reaction.

There are other limitations, however, of a very different character

contained in our state constitutions: limitations meant especially to control the action of legislatures within the sphere of their proper and undoubted powers, and unquestionably based upon a general distrust of the wisdom, if not the honesty, of legislators. Thus our constitutions very commonly forbid all private or special legislation, confining legislatures to the passage of general laws applying uniform rules to all persons and all cases alike. They limit, moreover, in very many cases, the length and frequency of legislative sessions, providing that the legislature shall convene, for instance, only once in every period of two years, and shall continue its biennial session for not more than a certain number of days, except under special or exceptional conditions, when extra sessions may be called by the governor or regular sessions extended by a special two-thirds or three-fifths vote. Many constitutions contain, also, minute provisions concerning the conduct of legislation, forbidding the introduction of bills later than such and such a day of a limited session, prescribing the general form of bills, limiting their subject-matter to a single object each, and even commanding the manner of their consideration.

More than this, as we have seen, there are certain classes of legislative provisions which have been removed beyond the cognizance of legislatures by being put into the constitution themselves: such as exemptions of certain classes of property from seizure for private debt (generally called "homestead exemptions"), "prohibition" provisions, etc. The embodiment of such measures in constitutions is intended to put them beyond legislative interference—is a limitation of the same indirect sort as a bill of rights. It is usual, also, for our state constitutions to limit the power of legislatures to create corporations, by provisions which direct the passage of general laws of incorporation to be applied in a formal administrative manner by the courts, to which applications for incorporation are to be made.

It will thus be seen that our state legislatures are not in any sense "sovereign" bodies. There is a certain serviceable clearness of view to be had regarding the state governments as, in their legal aspect, like corporations. Their legislatures are *law-making* bodies acting within the gift of charters, and are by these charters in most cases very strictly circumscribed in their action. It is this fact which gives so unique a place of power under our system to the courts, the authoritative interpreters of the fundamental law to which all legislation and all executive action must conform.

In every state the legislature consists of two houses, a senate and a house of representatives, and in most of the states the term of senators is four years, that of representatives two years, one-half of the senate being renewed every two years at the general elections. There is no such difference in character, however, between the two houses of the state legislatures as exists between the senate and the house of representatives of the United States. Connecticut, as we have seen (page 289), furnished the suggestion upon which the framers of the federal constitution acted in deciding upon the basis and character of representation in the two federal houses; for in the Connecticut legislature

of that time one house represented the towns, as the confederate units of the state, while the other represented the people directly. Even Connecticut has now abandoned this arrangement, however, and in almost all the states representation in both houses is based directly upon population, the only difference between the senate and the house being that the senate consists of fewer members representing larger districts. Often, for instance, each county of a state is entitled to send several representatives to the lower house of the legislature, while several counties are combined to form a single senatorial district.

There is, consequently, no such historical reason for having two houses in the states as exists in the case of the federal government. The object of the federal arrangement is the representation of the two elements upon which the national government rests, namely, the popular will and a federal union of states. The state legislatures have two houses simply for purposes of deliberateness in legislation, in order, that is, that legislation may be filtered through the debates of two coordinate bodies, representing slightly differing constituencies, though coming both directly from the people, and may thus escape the taint of precipitation too apt to attach to the conclusions of a single all-powerful popular chamber. The double organization represents no principle, but only an effort at prudence.

The reason for our having double legislatures cannot, however, be so simply explained. It is compounded of both deliberate and historical elements. Its historical grounds are sufficiently clear: the senates of our states are lineal descendants of the councils associated with the colonial governors, though they now represent a very different principle. The colonial councils emanated from the executive, and may be said to have been parts of the executive, while our senates emanate from the people. Then, too, there was the element of deliberate imitation of English institutions. One hundred years ago England possessed the only great free government in the world; she was, moreover, our mother land, and the statesmen who formed our constitutions at the revolution naturally adopted that English fashion of legislative organization which has since become the prevailing fashion among all liberalized governments. Possibly, too, they were influenced by more ancient example. The two greatest nations of antiquity had had double legislatures, and, because such legislatures existed in ancient as well as in modern times, it is believed that they were the only natural kind.

Greeks, Romans, and English alike had at first, it is true, only a single law-making body, a senate representing the elders or nobles of the community, associated with the king, and, because of the power or rank of its members, a guiding authority in the state. In all three nations special historical processes produced at length legislatures representing the people also; popular assemblies were, on one plan or another, coordinated with the aristocratic assembly, and presently the plan of an aristocratic chamber and a popular chamber in close association appeared in full development. We copied the English chambers when they were in this state of real coordination; before her legislature had sustained that great change, which Greece and Rome also had witnessed, whereby

all real power virtually came to rest again with a single body, the popular assembly.

STATE GOVERNMENTS: THE LEGISLATURE

(Excerpts from James Bryce's "The American Commonwealth," published by the Macmillan Co., 1891, pages 458-461. Reprinted by permission.)

The similarity of the frame of government in the forty-two republics which make up the United States, a similarity which appears the more remarkable when we remember that each of the republics is independent and self-determined as respects its frame of government, is due to the common source whence the governments flow. They are all copies, some immediate, some mediate, of ancient English institutions, viz. chartered self-governing corporations, which, under the influence of English habits, and with the precedent of the English parliamentary system before their eyes, developed into governments resembling that of England in the eighteenth century. Each of the thirteen colonies had up to 1776 been regulated by a charter from the British crown, which, according to the best and oldest of all English traditions, allowed it the practical management of its own affairs. The charter contained a sort of skeleton constitution, which usage had clothed with nerves, muscles, and sinews, till it became a complete working system of free government. There was in each a governor, in two colonies chosen by the people, in the rest nominated by the crown or the "proprietor"; there was a legislature; there were executive officers acting under the governor's commission and judges nominated by him; there were local self-governing communities. In none, however, did there exist what we call cabinet government, i. e., the rule of the legislature through a committee of its own members, coupled with the irresponsibility of the permanent nominal head of the executive. This separation of the executive from the legislature, which naturally arose from the fact that the governor was an officer directly responsible to another power than the colonial legislature, viz. the British crown, his own master to whom he stood or fell, distinguishes the old colonial governments of North America from those of the British colonies of the present day, in all of which cabinet government prevails. The latter are copies of the present constitution of England; the former resembled it as it existed in the seventeenth and beginning of the eighteenth century before cabinet government had grown up.

When the thirteen colonies became sovereign states at the Revolution, they preserved this frame of government, substituting a governor chosen by the state for one appointed by the crown. As the new states admitted to the union after 1789 successively formed their constitutions prior to their admission to the union, each adopted the same scheme, its people imitating, as was natural, the older commonwealths whence they came, and whose working they understood and admired. They were the more inclined to do so because they found in the older constitutions that sharp separation of the executive, legislative, and judicial powers which the political philosophy of those days taught them to regard as essen-

tial to a free government, and they all take this separation as their point of departure.

I have observed in an earlier chapter that the influence on the framers of the federal constitution of the examples of free government which they found in their several states, had been profound. We may sketch out a sort of genealogy of government as follows:

First. The English incorporated company, a self-governing body, with its governor, deputy-governor, and assistants chosen by the freemen of the company, and meeting in what is called the general court or assembly.

Next. The colonial government, which out of this company evolves a governor or executive head and a legislature, consisting of representatives chosen by the citizens and meeting in one or two chambers.

Thirdly. The state government, which is nothing but the colonial government developed and somewhat democratized, with a governor chosen originally by the legislature, now always by the people at large, and now in all cases with a legislature of two chambers. From the original thirteen states this form has spread over the union and prevails in every state.

Lastly. The federal government, modeled after the state governments, with its president chosen, through electors, by the people, its two-chambered legislature, its judges named by the president.

Out of such small beginnings have great things grown.

It would be endless to describe the minor differences in the systems of the thirty-eight states. I will sketch the outlines only, which, as already observed, are in the main the same everywhere.

Every state has—

An executive head, the governor.

A number of other administrative officers.

A legislature of two houses.

A system of courts of justice.

Various subordinate local self-governing communities, counties, cities, townships, villages, school districts.

The governor and the other chief officials are not now chosen by the legislature, as was the case under most of the older state constitutions, but by the people. They are as far as possible disjoined from the legislature. Neither the governor nor any other state official can sit in a state legislature. He cannot lead it. It cannot, except of course by passing statutes, restrain him. There can therefore be no question of any government by ministers who link the executive to the legislature according to the system of the free countries of modern Europe and of the British colonies.

Of these several powers it is best to begin by describing the legislature, because it is by far the strongest and most prominent.

An American state legislature always consists of two houses, the smaller called the senate, the larger usually called the house of representatives, though in six states it is entitled "The Assembly," and in three "The House of Delegates." The origin of this very interesting feature is to be sought rather in history than in theory. It is due partly

to the fact that in some colonies there had existed a small governor's council in addition to the popular representative body, partly to a natural disposition to imitate the mother country with its lords and commons, a disposition which manifested itself both in colonial days and when the revolting states were giving themselves new constitutions, for up to 1776 some of the colonies had gone on with a legislature of one house only. Now, however, the need for two chambers is deemed an axiom of political science, being based on the belief that the innate tendency of an assembly to become hasty, tyrannical, and corrupt, needs to be checked by the coexistence of another house of equal authority. The Americans restrain their legislatures by dividing them, just as the Romans restrained their executive by substituting two consuls for one king. The only states that ever tried to do with a single house were Pennsylvania, Georgia, and Vermont, all of which gave it up: the first after four years' experience, the second after twelve years, the last after fifty years. It is with these trifling exceptions the *quod semper, quod ubique, quod ab omnibus* of American constitutional doctrine.

WHY PENNSYLVANIA ABANDONED UNICAMERALISM

(An article by Irma A. Watts in State Government, volume 9, pages 54-55, March, 1936.)

State Government has already given its readers—in October, 1934—the summary of a poll on the question of unicameralism. Fifty-nine per cent favored retention of two-house legislatures and forty-one per cent voted for change. Larger proportions of those with legislative experience voted for the two-house system than for unicameralism.

Since that time, Nebraska has voted for a one-house legislature. This year the cornhuskers will elect the first unicameral legislature which America has had in a century. In 1836 Vermont—which, with Pennsylvania and Georgia, was one of the three unicameral states—turned to the two-house system. Just a century later, would-be one-housers are filing their papers in Nebraska. By a curious coincidence the Irish Free State is abolishing its senate during this same year.

The government of the Irish Free State recently asked the Legislative Reference Bureau of Pennsylvania, "Why did Pennsylvania abolish the unicameral system?" This provided some interesting studies on the reason for an action which Ireland and Nebraska are reversing this year.

Under the constitution of 1776, Pennsylvania placed the executive power of the state in the hands of a president and a supreme executive council of 12 members. The law-making powers were vested in a single body known as the General Assembly of Freeman. To insure that the rights guaranteed by the constitution would be preserved, there was created also a council of censors, whose duty it was to inquire whether the constitution had been preserved inviolate in every part. This council of censors consisted of two persons from each city and county of the state, and was to be elected every seventh year.

After the adoption of the constitution of 1776 public opinion soon began to decide that the one-chamber legislature was not conducive to good government in Pensylvania. Among the first acts of the council

of censors was the appointment of a committee on the defects and alterations of the constitution. The committee presented its report in 1784.

While dealing also with other subjects, its discussion of the unicameral legislature is of peculiar interest in view of the experiment which Nebraska is soon to undertake.

The outstanding features of the report were: "Your committee, to whom it was referred to report those articles of the constitution which are defective and the alterations and amendments, begs leave to report.

"That by the constitution of the state of Pennsylvania, the supreme legislative power is vested in one house of representatives, chosen by all those who pay public taxes. Your committee humbly conceives the said constitution to be in this respect materially defective:

"1. Because if it should happen that a prevailing faction in that one house was desirous of enacting unjust and tyrannical laws, there is no check upon their proceedings.

"2. Because an uncontrolled power of legislation will always enable the body possessing it, to usurp both the judicial and the executive authority, in which case no remedy would remain to the people but by a revolution."

No immediate action resulted from this report of the council of censors, but it should be noted that its conclusion against the unicameral system was arrived at before the precedent of a two-house legislative body was established by the federal constitution.

Four years later, at the thirteenth session of the general assembly of Pennsylvania, Mr. Gerardus Wynkoop of Bucks county, made a motion to have incorporated in the minutes an address "To the Citizens of Pennsylvania" which set forth ". . . the sentiments of the assembly on the expediency of calling a convention for the purpose of altering the constitution of the commonwealth.

". . . To obtain and secure that great principle of prosperity, it is indispensably requisite that caution, accuracy, order, moderation, stability and vigor, should reign, in making and in executing the laws.

"Without intending an invidious application to persons or times, we submit it to your experience and reflection, whether those qualities are to be uniformly found in a legislature consisting of a single body of men, or whether, on the contrary, precipitation and inconsistency do not often characterize the proceedings of a legislature thus formed, and restrained by no immediate control. Having recently turned your attention to the federal system, you are fully informed on this head. The government of the United States, under the late articles of the confederation, consisted only of a single branch. The wisest heads and the most virtuous hearts in our nation have agreed in condemning this inefficient and dangerous arrangement. You have seen, felt, and, to your never failing honor, have, with your compatriots of other states, remedied this radical imperfection . . ."

A resolution to call a convention to revise the constitution was adopted four days later. That constitution, adopted in 1790, created a general assembly, consisting of a senate and a house of representatives.

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The H. W. Wilson Co. has published a 245-page number of the Reference Shelf, volume 11, number 1, on the subject, "Unicameral Legislatures." Harrison B. Summers, compiler. 1936. Price, 90 cents. Address the H. W. Wilson Co., 950 University Ave., New York, N. Y.

The H. W. Wilson Co. has announced for publication in November, 1937, a number of the Reference Shelf, volume 11, number 5, entitled "Unicameralism in Practice: the Nebraska Legislative System." This number of the Reference Shelf will supplement volume 11, number 1, listed above. Harrison B. Summers, compiler. Price, 90 cents. Address the H. W. Wilson Co., 950 University Ave., New York, N. Y.

A 21-page issue, for June 25, 1937, of Editorial Research Reports has been published on the subject, "Unicameral Legislatures." This number was prepared by Bryant Putney. Price, 50 cents. Address Editorial Research Reports, 1013 Thirteenth St., N. W., Washington, D. C.

The American Academy of Political and Social Science has published Pamphlet Series number 4, by A. E. Buck, entitled "Modernizing Our State Legislatures." 1936. The length is 45 pages. Price, 50 cents. Address the American Academy of Political and Social Science, 3457 Walnut St., Philadelphia, Pa.

Bower Aly has edited "Unicameral Legislatures: the Eleventh Annual Debate Handbook, 1937-38." This handbook is published in two volumes, with 220 pages in each volume. The first volume contains original articles by the following persons: Edna D. Bullock, Franklin L. Burdette, Thomas S. Barclay, W. L. Bradshaw, John P. Senning, H. B. Summers, T. A. Rousse, Harvey Walker, Daniel B. Carroll, E. O. Stene, Martin L. Faust, H. M. Dorr, and Joseph A. Kitchin. The second volume contains reprints from current sources bearing on the following topics: "General Considerations Involved in Legislative Methods," "The History of Legislatures," "The Present Status of Legislatures," "Nebraska's Unicameral Legislature," "Legislatures in Other Countries," "Arguments for Unicameralism," and "Arguments for Bicameralism." Those wishing to obtain this debate handbook should send $1.65 to Lucas Brothers, Publishers, Columbia, Mo., in full payment for the handbook in two volumes and for postage charges.

Noble and Noble have published a 331-page debaters' help book, entitled "Unicameral Legislatures." E. C. Buehler, editor. 1937. Price, $2. Address Noble and Noble, Publishers, Inc., 100 Fifth Ave., New York, N. Y.

The McGraw-Hill Book Co., Inc., has published a 118-page volume by John P. Senning, entitled "The One-House Legislature." 1937. Price, $1.50. Address McGraw-Hill Book Co., Inc., 330 West 42d St., New York, N. Y.

The September, 1937 number of the Congressional Digest is devoted to the topic "Should the States Adopt the Unicameral System of Legislation?" Price, 50 cents. Address the Congressional Digest, 2131 LeRoy Place, Washington, D. C.

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VOL. XVII NOVEMBER, 1937 No. 4

FIRST PRINCIPLES OF
PLAY DIRECTION

By SAMUEL SELDEN

Associate Director of The Carolina Playmakers

ISSUED BY THE

BUREAU OF COMMUNITY DRAMA

CHAPEL HILL MCMXXXVII

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Published six times a year, July, September, October, November, January, and March, by the University of North Carolina Press. Entered as second-class matter October 19, 1921, Chapel Hill, N. C.

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PART ONE

MAJOR OBJECTIVES

CHAPTER I.

INTRODUCTION: THE PLAY IN THE AUDIENCE

1. Why People Go to the Theatre

Why do people go to the theatre? There are two primary reasons. First, they want to play. Second, they want to experience life on an emotional plane above that of every-day existence. Upon the satisfaction of these two simple but basic desires are founded the arts of the playwright, the actor, the director, and all the other dramatic craftsmen.

The gratification of man's wish to play underlies the first and most important appeal of the theatre to its audience. Everyone has observed the desire to make-believe which appears in children at a very early age and remains with them when they grow up. From the time we begin to walk and talk we enact party, church, and other social scenes, pretending to be hosts and hostesses, storekeepers, doctors, bandits, policemen, and railroad engineers. When we reach the age of boy scouts and girl guides, and later enter the extra-curricular life of high school and college, we change the forms of our make-believe a little, but its fundamental nature remains the same. Even in the years that follow, when opportunity to play is restricted, we retain our impulses for make-believe. Then we turn more and more to the vicarious satisfaction of our play-desires offered in the theatre.

This fact does not need to be elaborated here. One point only should be stressed, that children always prefer to play the roles of superior persons—persons whose actions are vivid and strong. When children of similar age and temperament play a game of "church" or "school," they always struggle for the part of Preacher or Teacher. Few who fail in this struggle accept with grace the secondary roles allotted to them. They tend to cut up—giggle, hop up and down, make disrespectful remarks—in order to show their independence of, and their implicit superiority to, the dominating character. The superiority the child likes to feel does not need to be a feeling of actual grandeur. The child does not ask his playmates to see in him a king, a governor, or even a senator or president of a club. He is content to be a cowboy, a postman, a conductor, or even just Father (or Mother), because these, in his limited experience, seem the characters who rule the earth.

If children like to play the roles of people whose design for living is superior to their own, so also do grown-ups. This desire underlies the second basic appeal of the theatre. In the theatre, men and women, acting parts, may feel the joy of strength and freedom not found in their everyday lives. The frustration felt by the child awaking to the hard forces of nature and man's civilization and knowing his own pitiable weakness in their presence continues into manhood. "Most men lead lives of quiet desperation," someone has said. Frail, and fearing their frailty, they cling passionately to the figures of those stronger men who are able to manage the physical and moral forces that threaten them.

The theatre, in its world of imagination, provides such figures. We who observe them and feel their words and their actions in ourselves become a part of them, and so feel ourselves strong, conquerors of life, lords of the earth.

How these characters of dramatic stature may be rich men, poor men, or even beggars struggling with the first steps of moral and economic existence, will be indicated in the next chapter.

2. The Player in the Audience

The spectator who brings to the theatre the two fundamental desires described (to play and to experience moments of heightened living) gratifies them there, not passively, but actively. It is essential for the director to recognize this active role of the audience. *A play is really performed in the audience.* The ultimate, dramatically most important, imaginers and players are not the so-called "actors" who labor on the stage, but the observers who watch and listen, and who breathe the air and feel the quickening movement of the characters. Hamlet, Juliet, Othello, Nora, Yank, and Marchbanks inhabit the thoughts and motions of the actor only to affect the spectator. It is in the audience that the miracle of creation takes place. Actors serve only as instruments.[1] They are the stimulators and guides for the spectator's playing.

Just what is the nature of the spectator's activity? The mental element of this activity is clear. But is there also a physical element? The answer is yes. When a man seated quietly in the audience observes an actor performing on the stage, he does something more than watch the actor and listen to him. His body is stirred. He actually participates in the movement and the speaking of the actor. When the actor walks, the man walks; when the actor lifts his arm, the man lifts his arm; when the actor says, "Stop! or I shall strike you," or "I feel tired," or "I am happy this morning!" the spectator utters the same words, in the same tone of voice. Of course, the bodily movements and the sounds given by the man in the audience are not just like those on the stage. A person seated near a spectator absorbed in a highly dramatic scene may occasionally see him lean forward a little, shift his arm, open or close his hand, and move his lips; but most of the time he will observe nothing. This does not mean, however, that the spectator's body is inactive. The movements are of an *inceptive* nature—that is, they are the first muscular stirrings for complete muscular action. While these movements remain primarily inward, never breaking forth into full stride and gesture, the spectator feels them as intensely as if they were open and free. Although the words of anger or joy which he utters are only muscular postures in his throat, he feels them as if he were speaking them aloud.

---

[1] Some theorists may object to this statement, feeling that the act of instrumentation is the making of a play. It is not my purpose here to argue an essentially academic question. All I wish to say is that the final "active effect" takes place in the audience, not on the stage. On many nights actors are tired or sick, with their hearts only half in the play. But if the audience is moved, the play is created.

In effect, then, the man in the audience tends to imitate the actor on the stage. He does this because, like all of us, he has a natural impulse to feel out, and to participate in, the forms which interest him. We see a polished granite ball, and we "feel" its smoothness, roundness, and weight, at a distance. We look at a marble column and speak of being "lifted," because inceptively we reach our arms along its tall sides. The motor responsivity we show in the perception of still objects is intensified into a more directly imitative motor urge when the objects take on dynamic qualities. We sway with a swinging pendulum, we lift and fall with the movements of a pile driver, we twist and bend with a wind-blown tree. At a horse or dog race, we run with our favorite entrant—run so hard sometimes that our bodies ache and there is no breath left in us. When the moving objects we observe are not machines, trees, or animals, but human beings, we respond with an even greater imitative stir of muscles. Hence, the man in the audience is impelled to follow, not only with his mind, but also with his body, the stimulating motions of the actor on the stage.

3. WHY THE ACTIONS ON THE STAGE MUST BE SPECIFICALLY DESIGNED

But the actor, to be effective, must be able, and his movements must be rightly designed. Though the spectator *tends* to feel out a player's actions (and this, as we have indicated, includes vocal activity), he does not *always* feel them out. If he finds that the movements of an actor do not please him, that they irritate him with their awkwardness or bore him with their monotony, he will cease to respond to them. He may even turn away from them. The actor has failed as a stimulator and guide, and consequently his part in the play in the audience dies.

To be technically effective in stirring the spectator's motor responses, then, a stage-player's actions must be rhythmical and varied. To be dramatically effective—to make the spectator feel that in imitating them he is living a part—the actions must be something more. They must be well related to the spectator's out-of-theatre life. No one, however eager, will convince himself that he is playing a real character in a real situation unless the inner movements he senses in his body are associated with actual experience. Body and mind are here united. Imagination, let us remember, is built out of the substance of recollection, which is itself a form of reliving. Suppose we see on the stage a woman who, grievously insulted by a man (he has spread scandal and has alienated from her all her dearest friends), finally, in a moment of anger after months of anguish, taps her tormentor lightly on the cheek. At that moment her action recalls in our bodies no similar experience of movement in anger. The character suddenly becomes foreign to us, and we cease to play her. A passionate young man is seated by a beautiful girl on a garden bench in the moonlight. In the distance music is playing. The girl smiles invitingly. Out in the audience every mouth waters expectantly. The young man says softly, "I love you," and leans over her. He places his lips on hers—but, instead of letting his mouth linger there, he pulls it away. Well, it may be that no man in the audience

has ever kissed a woman just like this dazzling creature, but he can recall enough kissing of fair women in his life to be able to feed his imagination well! He refuses to follow the movement away from those inviting lips. For the audience the character of the "passionate young man" ceases to exist.[2]

Practically speaking, then, movement, both pantomimic and vocal, is dramatic only when it stirs into full responsive activity all the spectator's mind and body. The fulfillment of the purpose of movement is clearly impossible if the means are haphazard. Stage action must be planned, carefully and specifically, as a whole and in all of its parts.

4. The Four Ways in which the Audience Gratifies Its Desires

To summarize, effective stage direction is founded upon two facts: first, the playgoer is an active, not a passive, individual; and second, he goes to the theatre in order to gratify two desires: to "play a part," and to feel within himself the forces of heroic life. Seated in a responsive attitude before the stage, he puts himself under the influence of actors trained to stimulate and guide his activity in accordance with a plan. The director serves as supervisor.

If we accept these facts, we can go back to those two basic desires and ask how, specifically, the playgoer gratifies them. I think he does it in four ways:

He personates a character.
He participates in a story.
He dances.
He sings.

How the director may design a performance in order to help the playgoer experience these four things is the theme of the next three chapters.

---

[2] Similarly, the spectator checks through his physical-mental organism the values of every other kind of action, even those connected with violent death. He may never have committed a murder overtly, but he can recall enough fragmentary impulses of a murderous nature to be able to feel whether or not a murderous experience in the theatre is "real."

CHAPTER II.

CHARACTER

1. The Kind of Character a Playgoer Personates

The man who goes to the theatre for play and experience gratifies his two desires first, as we have said, by personating a character. It is not just any kind of character, but one with superior traits—physical strength or beauty, courage, keen vision, an unusual capacity for suffering and struggle, or some other mark of quality. The roles which the young spectator wishes to assume are glamorous but simple. Because the experience of the child is limited, he finds it difficult to understand men whose psychological processes are complex. Oedipus, Hamlet, Nora Torvold, and the Hairy Ape mean little to him. He cannot feel them out in terms of himself, what he has been through and what he would like to do; so he is not interested in playing them. Instead, he turns to the characters of brave Captain Jim, smart G-Man Peters, the nimble and courageous Tarzan, personalities forceful, direct, and uninvolved.

But when the child grows older, when his memory of life and consequently his understanding of it are enlarged, he no longer desires to play the same people. With advancing years, he associates himself with richer natures, characters which touch, not one or two, but many sides of his physical, mental, and emotional life. They are people marked by an inner reality absent in the early heroes. The more mature the spectator becomes, the more inclined he is to turn the main line of his spiritual explorations away from romance to fact.[1] Unlike the young escapist, he faces life squarely; and the longer he gazes at it, and tests it by experience under controlled conditions, the more interesting he finds it. Through the senses of each character he inhabits as a player, he feels out something new about the meaning of human life. Thus he acquires a clearer appreciation of his relationship to the world around him.

As mature playgoers, then, we are drawn to such characters as Hamlet and Nora because they are like us; they are basically real. At the same time they are idealizations. It is in this phase of their being that we sense a depth of vision and command of power which are above those we can normally call our own. But if the characters are rightly presented, we shall feel somehow that those heightened qualities belong to us; so we shall appropriate them and, as we play our parts within the characters, we shall feel the joy of wisdom and strength. We shall see life straight, we shall struggle with it manfully; we shall become supermen. Feeling ourselves to be for the time Hamlet, Romeo, Oedipus, or Ephraim Cabot, we shall be exalted. Even if we lose our battle, we shall seem to be victorious, for in the magnificent wreck of things the character we are will become, as never before, lord of his own nature.

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[1] I do not wish to discount the value of romantic drama, which appeals to grown-ups as well as to children. The fact remains, however, that the dramatic figures which endure best are those which are somehow tied to earthy existence.

Intensity and breadth of emotion are primary measures of a dramatic role. Lowly characters like sailors, sharecroppers, and even beggars, it has repeatedly been pointed out, may be as stirring to the audience in this respect as princes and poets. Desire, suffering, struggle, hope, and courage are what make a man, whatever may be his place in life. Viewed in this way, Maurya, the fisherwoman in *Riders to the Sea*, Widow Cagle, the mountain woman in *Sun-up*, Yank, the seaman in *The Hairy Ape*, and Abraham McCranie, the negro laborer in *In Abraham's Bosom*, are great persons. They are as exciting as any figures in the literature of nobility.

These ideas are not new. They have been expressed many times before. Yet, somehow, playwrights, actors, and directors often ignore the truth that people come to the theatre to be *lifted*. The characters seen on the professional, and especially the non-professional, stage so much of the time are dreadfully commonplace. They fail to exhilarate anyone because there is no singing joy of life in them. While the fault is often the playwright's, just as often it is the actor's and the director's. The high mortality rate for plays can be traced in large measure to a failure to recognize one simple fact, the spectator comes to the theatre in order to play the parts of men in some way superior to himself.[2]

2. Primary and Secondary Characters

What has been said so far in this chapter applies mostly, of course, to leading roles. A spectator's first wish is to play the protagonist. In him he feels the chief forces of heroic desire, struggle, and victory. But the spectator does not stop with the protagonist. The secondary roles are only a little less interesting. They also are cast in superior molds (assuming that they have been adequately written), and consequently, the experience of feeling out the actions and emotions of these characters is almost as thrilling as that connected with the first character. Of course, the desires which motivate the secondary people may not be quite so close to the heart of the spectator as that which moves the protagonist,

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[2] The dramatic processes described in this chapter are those which have to do especially with the performance of "serious" roles. Comedy presents some special problems for whose regular discussion there is not here sufficient space. We insert this footnote to indicate these problems to the director.

In serious drama the spectator's experience is primarily subjective. In comedy it is both subjective and objective (in varying proportions, of course) depending on the nature of the play. The spectator "feels" a comic character in much the same way as he "feels" himself in his reflection in a distorted mirror. The image is himself, and yet not himself.

The technique of comedy, it has frequently been pointed out, resembles that of cartooning. It is based on an exaggeration of certain points in character and situation. The spectator, entering into the playing of the comic character, keeps a certain part of his own mind detached from the character's mind. This is the part that recognizes the points of exaggeration and comments on them. The director should remember, however, that although the immediate appeal in all forms of comedy—farce and satire especially—lies in its objective, or grotesque, qualities, the ultimate appeal in every dramatic character rests on his basically subjective, or human, qualities. In other words, most of the suggestions contained in this chapter are applicable to the acting of comic as well as serious roles.

but if the desires are properly indicated, he will appreciate them. The spectator plays all these parts, and plays them fully, because, like every other normal human being, he has an insatiable craving to touch the life of heroic men and women at as many points as possible. Also, in the process of feeling-through each of the secondary characters, he enlarges his understanding of the forces working on the protagonist, and so he comes to feel this person better.

He enjoys playing even the so-called "unpleasant" figures. Villains are often quite popular. Although the audience fears them and longs for their annihilation, since they stand in the way of its heroes, it gives them a measure of its respect. It admires them for their characteristic strength and cunning and because, unlike most men, they are not cowards to their own consciences. Usually, of course, the villain is useful for our appreciation of the hero. The deeper we enter into the nature of the antagonist, the clearer we feel the contrasting nature of the protagonist. The only kind of personality which an audience does not care to experience is the puny kind—one with no emotional vigor, no "git-up and git" to it. The audience wants nothing about which it must feel negative.[3]

3. PREPARING THE PERFORMANCE OF A CHARACTER

Considerable space has been given to a description of the kind of characters a spectator likes to experience. It would be fitting now to ask how the performance of a character should be planned in order to meet the spectator's wish.

First of all, the character must be conceived as an *interesting and important* one. The actor (and the director who guides him) will not succeed with the interpretation if the character is conceived only as something made up of words and gestures. Of course, the first responsibility in this respect is the playwright's. The actor often starts with a great handicap in the material he has to use. If, however, the written character seems, on reading, to be a pretty dull one, the purpose of the actor should still be to treat it as if it were interesting. Let him remember always that while the spectator is a friendly person, he is very critical, and that he obstinately refuses to respond to anything which he does not feel to be dramatically worth his while.

In the second place, the image of the character must be clearly worked out in the actor's mind. There must be keen analysis of every detail, fostered by careful reading, not only of the speech lines of the character, but also of the playwright's description of him in the stage directions, his personal moment-by-moment movements, the references and reactions of other characters to him, and the situations within the play that shape the manifestations of his personality.

After the actor has interrogated the written figure of the character

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[3] This does not, of course, apply to those figures such as servants and messengers, who serve simply as mechanical instruments for the advancement of other people's actions. They must naturally remain pretty negative. The audience notices them only when they are absent or when they make themselves unduly prominent by claiming too much of the stage or by failing to perform their functions neatly and efficiently.

he plans to perform, he tries to visualize a living figure. He keeps his eyes and ears open for all the sights and sounds of people which can in one way or another contribute to the growth of the image. He observes different manners of walking, postures, gestures, tricks of voice, facial expressions, habits of dress, and so forth, making as many as possible yield something he can fit into his part. He nourishes his imagination still further, perhaps, with a study of biographical literature, pictures, and music; and he turns back into the rich storehouse of his own memories for still other details of character.

The third point in the planning of the performance is the projection. The character the actor sees may be a very thrilling one for him, but it means nothing to the spectator so long as it remains on the stage only. The spectator must be stirred. Let the actor remember always that the real player is the man in the audience, and that the performer is simply an agent of stimulation for the other man's actions. This means, then, that he will give careful thought, not only to the words he utters, but to the movements of his body and the tones of his voice, making every gesture and every sound produce an effect upon the responsive nature of the observer.

4. CONCLUSION

The problem of characterization which is basic to all creative effort in the theatre cannot be adequately discussed in a few pages. Not more than one or two small corners of the subject have been touched here. It is hoped, however, that these few suggestions will lead the director who reads this bulletin to observe afresh the fundamental desires and the responsive nature of his audience and to think a little more keenly about his methods for meeting them.

CHAPTER III.

STORY

1. The Kind of Story the Playgoer Likes to be Engaged In

One of the chief elements in a playgoer's experience is, as we indicated in Chapter I, his feeling that he is taking part in an unfolding story. The more dramatic the story, the more deeply he is affected. The person principally responsible for the dramatic values, of course, is the playwright. But the director can help considerably to bring out and build up these values. This chapter will suggest a few methods.

But first let us ask what some of the main characteristics of a dramatic story are. It is *exciting*. One cannot go to sleep in the middle of it. The story is full of action. This action is commonly of the outward kind, marked in a performance on the stage by much physical movement and rapidly changing voice-tones. But it may, on the contrary, be of the inward kind, finding its visible and audible expression only in quiet gestures and subtle changes of tone. The importance lies not in the outward symptoms but the inward feelings. Any good presentation of *Hamlet* serves as an illustration. At the beginning and at the end of the play there is considerable activity; during the scenes of Hamlet's brooding there is comparatively little. Yet every moment of the play moves. In other words, the action which makes a dramatic story exciting is connected in some way with the seething of the character's emotions.

Three basic ingredients are usually found in every dramatic story, *desire*, *resistance*, and *struggle*. In the beginning somebody wants something. A nobleman covets a crown, a young prince wishes to avenge the death of his father, a young wife feels impelled to seek the freedom of her conscience, a boy wants to win a girl. But the path to the achievement of each desire is blocked by a counter force. There are men who do not wish the nobleman to have the crown he covets, friends of the murderer stand in the way of the prince's revenge, the misunderstanding of an unimaginative husband opposes the attempt of the young woman to establish her spiritual independence, a girl's obstinate fancy bars her lover's union with her. Then there is a struggle. The keener the struggle, the more exciting is the story. Since it implies action, struggle is at the center of drama.

At the very core of it all, however, is *desire*.[1] Unless someone really wants something there cannot be very much of a fight—and consequently not much of a story. The acting of play after play fails at this fundamental point. It is important, therefore, for the director to recognize it. Until the nobleman behaves as if he really *wants* the crown, or the wife behaves as if she *wants* her independence, or the boy behaves as if he

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[1] Sometimes this central desire in a dramatic story is an individual thing, sometimes a group thing. It may occur singly or with other desires. Where there are several parallel desires, however, one is usually dominant.

wants the girl, the audience cannot get very worked up over the action of the story.

There is no standard shape for a dramatic story. About the only practical requirements are that it shall have a logical beginning, middle, and end, and that there shall be a more or less consistent development from first to last. Perhaps the most significant observation a director can make about the form of a dramatic story is that the line of development is never straight. There are surges and ebbs in emotional excitement. The action throbs. The peaks of feeling, when the general movement of the characters is usually in greatest evidence, are, of course, the *climaxes*. It does not take a director of any great experience to see the larger peaks of emotion, the major climaxes which come naturally at the ends of scenes or acts; but it takes a really keen artist to sense out all the lesser surges which pile up feelings into the big moments. Those little surges, as much as the others, give character to the story.

2. How the Story Values Are Guarded and Intensified by the Director

What a director must do in order to guard and intensify the dramatic story values of a play should now be pretty obvious. He should analyze the story of the play carefully for the springs of action. These he will find, of course, in the motivating desire of the leading character or characters, the forces which oppose the fulfillment of the desire, and the impulses for battle natural to this crossing of purposes.[2]

Then when the director puts the play on the stage he will work to bring out these points. He will strive to show in the actions of the leading character (such as Hamlet) or the leading characters (such as Romeo and Juliet) that the forces of desire are keen, and in the behavior of those people and things (the corrupt court and Hamlet's hesitant nature, hatred between rival families) that the forces of resistance are stiff. He will take the struggle which grows out of this opposition of forces and develop it to the limit of the playwright's design.

The character of the struggle will vary, of course, from play to play. In one situation it may be a great industrial battle (as in Galsworthy's *Strife*), in another, an heroic search for the deep truth of a religious conviction (as in Green's *The Field God*), or in another little more than a competitive effort of two or three bright people to show the agility of their minds, perhaps merely to "out-smart" each other in witty conversation (as in one of Noel Coward's comedies). But within the play's frame, whether large or small, the sense of conflict must be vigorous.

The director should see that the story is moving forward every minute. When the action cannot progress outwardly, it must continue inwardly. During the period of inner action, however, when the more violent movements of the body and voice have to be curbed, the actor

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[2] We are speaking, of course, of the director's work in reference to *typical* plays. A few purely atmospheric plays and some pageant-like plays cannot be so satisfactorily analyzed in this way.

TWO SCENES illustrating center of interest. Above, the principal figure takes attention forcibly through the contrasting form of his clothes (pajamas in the midst of uniforms) and his posture, and the direction of the other characters' eye-lines. Below, the leading figure attracts attention quietly through her slightly different posture and the direction of the other women's eye-lines. These scenes illustrate also the difference between informal balance in a transient scene of action and more formal balance in a less mobile scene planned primarily for picturization. ¶ Two plays by Paul Green: *JOHNNY JOHNSON*, production of The Carolina Playmakers, directed by Samuel Selden; *THE LOST COLONY*, on Roanoke Island, North Carolina, staged and directed by Samuel Selden, with costumes by Ora Mae Davis.

cannot be allowed to retire completely into himself. Because the spectator, as we have seen, is no mind reader and cannot, without definite guidance, feel his way inward to the emotions of the characters whom he is following, the actor must continue to provide outward symbols of the inner action—subtle motions, slight but expressive changes of posture and tone. Never for an instant can there be any complete relaxation of emotional energy; but the intensity of this energy changes from time to time. The director causes the action to surge in character with the feelings of the people in the different scenes, building the effects of these action-surges slowly, patiently but determinedly, up to the great climaxes of the play.

3. Accent on Character

From first to last, however, the director must give his primary thought to character. It is out of the characters that the story properly springs. It is only because dramatic personalities are individually and collectively what they are that there is desire, counter desire, and the exciting actions of conflict. Whenever the director feels that the story is flattening out and that there is no drive in it, he should immediately go back to the men and women who motivated the story and examine them. He will doubtlessly find that they are flabby.

From first to last, let the director remember that the real player is seated in the audience. He likes to feel himself in the midst of exciting events, all of which he knows are leading up to some kind of climactic emotional experience at the end of an evening. But he can follow these adventures of the spirit only through the changing behavior of the characters he personates.

4. Marking the Signposts

One more point should be mentioned, the necessity of making perfectly clear all the sign posts that indicate the direction in which the story is unfolding. This means that the audience should be able to hear or see distinctly: (1) every first reference to an important person or fact (establishing the knowledge, for instance, that a key figure is called Jones, and that he has just returned to town); (2) points of action which explain later action (like the placement of a fateful document or gun in the drawer of a certain desk); (3) words or gestures on which pivot major changes of thought and feeling (such as the quiet remark that releases a flood of anger, the glance which reveals a secret).

In order to prevent the audience from missing the places where the shifts occur, the director will often have to mark them by stress, pause, or other form of emphasis. This should be done definitely, but very naturally, for there is nothing which chills an audience more quickly than obvious technique.

CHAPTER IV.

DANCE AND SONG

1. Why We Want to Dance and Sing in the Theatre

We all like to dance and to sing. The trait shows itself in early childhood. Young boys and girls find that rhythmical movement and sound make them "feel good," so they indulge in them freely. Notice the precocious young lady of ten who walks primly into the sitting room, with her best company manners, to discuss with the guests such grown-up subjects as art and politics. She sits rigidly on her little stool with her childish hands clasped quietly in her lap. She speaks in stiff, uneasy tones; her face is very serious. After a polite length of time she slips away, and a few moments later an observer spying at her in the garden sees her dancing around the flowerbeds, singing to her doll. This is the little girl returning to her real self. She is seeking release for her mind and muscles from the unnatural experience she has just had in the sitting room.

The liberating and invigorating effects of dancing and singing are sought by grown-up people just as keenly as by children. Unfortunately, however, the actions which cause these effects cannot be indulged in so easily after the period when social restrictions obtain. True, we do some dancing and singing of a sort at friendly gatherings, and when we shave and bathe and perform chores around the house; but the moments when we can open up our bodies and voices to a really free enjoyment of rhythm are comparatively few. These fragmentary experiences do not begin to compensate for those long hours of suffering through which our muscles and minds are held tight by the hard bands of daily life. Furthermore, the older we grow, the more aware we become that the unaided efforts we make in the name of rhythm are seldom very satisfactory. Consequently, we seek outside of ourselves fine patterns of movement and sound to which we can periodically become attached—patterns with concentrated powers of effect, designed by artists who understand our hunger and can satisfy it.

2. The Nature of Dramatic Dance and Song

The most generally stimulating designs of bodily and vocal movement are to be found in the theatre. Forms of dancing and singing appear there in great variety, some fixed, some free, some obvious, some disguised beneath other forms. In the departments of ballet and opera, the forms of dance and song are clearly evident, while in plays without music, they are often hidden. Their concealment is necessary in these plays because avowedly the first interest of the audience is the "naturalness" of the action. Since the "natural" type of designed action makes the bulk of the director's working material, the following remarks will be centered upon it.

Let us consider first the phase of "dancing." The person who has never regarded this matter before may find it difficult to see just where

this phase exists. It may help him to remember the silent motion pictures, in the preparation of which pantomime was rehearsed to music. Measured melodies were used, partly to build a mood in the actors, but more particularly to help them establish a rhythm for their work. Experience in recording their actions through the throbbing eye of the camera showed that movements unprompted by music tended to be jumpy, and therefore inexpressive. So the orchestra was used freely. Numbers were selected to fit the measured, or dance-like, character of each "shot," and to them the actions of the players were keyed. There were waltz scenes, march scenes, two-step scenes, and jig scenes, all carefully rehearsed for precise timing. Worked out in this way, the pantomime acquired the qualities of smoothness, flow, magnitude, and completeness that would have been difficult to achieve otherwise. There was also a strong feeling of pulse and accent which helped tremendously to make the pictures expressive. Thus, the best of the pantomime in silent films reached a very high level of eloquence.

That element of stage acting termed by us as "dancing" is closely akin to the music-prompted movements just described. The bodily actions with which it is identified are free and large, but economical, that is, with no waste exertion; and, being rhythmical, they are marked by periodic motion, periodic rest, with periodic points of special stress. They are rehearsed by the player in the theatre without actual music, since this is not readily obtainable there, and because the scenes through which the player moves are too long and involved to make an intimate accompaniment practical. Besides, the actor must talk through his pantomime. However, every rightly trained actor goes through his motions, sitting, rising, walking, gesturing, *as if there were music present.* His spirit dances to rhythms heard by the ears of his mind; so his body becomes likewise rhythmical. An observer seeing the outward movements of the player will notice in them no fixed time-patterns, but he will sense through those manifest movements the stirring and guiding *influence* of music.

A specific example may help to clarify our meaning of dancing. Take the simple action sequence involved in rising from a chair, walking across the room, lifting a letter from a table, turning and handing it to someone. A player who is not a "dancer" would carry his actions through clearly but without much expressive grace. With his feet planted out in front of him, he would probably propel himself into a standing position, and then "make for" the table. The intervening ground might be covered in a number of different ways, perhaps by jouncing, shuffling, or a sidling movement. Arriving at the table slowly and uncertainly, the player might suddenly break tempo again by darting out his hand, seizing the letter and thrusting it at his companion. Now observe the behavior of the "dancer" in the same sequence. He tucks his feet under him to take the weight of his body, rises quietly, straight up, without twisting his body or shooting it forward into the air. He rests a short instant after rising, then walks simply (with no unnecessary bouncing, wriggling, or hitching) to a point at the table near the letter (so that he will not have to lean for it), pauses another small fraction of a sec-

ond, reaches easily for the sheet of paper and, turning, presents it to the person waiting for it. The rhythmical time beats of his rising, crossing, and reaching and turning are about the same, with the rests fitting in. From first to last there is no jerkiness in the movement, but instead a fine sense of easy progression from unit to unit. If the final detail of handing the note to the other man must be dramatic, it is somewhat accented, but even this more forceful gesture is affected by rhythm, like the rest.

Not every part of a dramatic dance should rightly be smooth and quiet. Some of it must, of course, be sharp, quick, and vigorous. The form of each passage is determined by the kind of character performing the dance and the nature of the situation at the point considered. All of the action must remain, however, strongly rhythmical—and all of it must retain a relationship to basic human behavior. The director should remind himself constantly that effective stage movement is usually just normal, every-day movement sorted out, simplified, and enlarged, with the natural underlying pulse-beats freed and strengthened. Dance movement, as we conceive it here, implies no fancy patterns; and it does not operate outside of expressive pantomime, for it is an essential part of that pantomime. Above all, it helps the spectator to feel the pulse and surge of heroic action.[1]

Equivalent to the dancing qualities of good pantomime are the singing qualities of good speech. The sounds which accompany, or are stimulated by, dance movement should themselves be marked by its quality. All effective dialogue on the stage must, therefore, contain strong elements of "song." Tone must be played against tone to bring out every one of the larger and the finer changes in the movement of the character's feeling. And the whole speech design, like the pantomimic design, must be affected by rhythm—periodic sound, periodic pause, periodic stress. The spectator naturally listens rhythmically. Periodic points of emphasis capture his attention at rhythmical moments of peak intensity, and so with maximum efficiency they drive home the key thoughts of the dramatic message.

The lack of these two important qualities, dance and song, is felt nowadays in much that is presented on the stage, especially in performance of the so-called "realistic" plays. Many directors have the mistaken notion that realistic movement and speech, because they must *seem* to the spectator to be unstudied, should actually be without design. This is clearly wrong. The theatre is a place set aside for something more than just ordinary characters, for these can be found everywhere outside of the theatre, and the spectator entering the playhouse to experience life anew in another man's mind and body, as we have already indicated, wants to have the feeling of high adventure. The characters he enters and partakes of have to be heroic. Even the apparently most

[1] The spectator's recognition of a rhythm which is worked skillfully into the tissue of "natural" movement is commonly sub-conscious, rather than conscious. The observer senses the rhythm without analyzing it. Oddly enough, unless he is a trained critic, he is more apt to think and talk about this element of acting when it is absent than when it is present.

"naturalistic" ones must be heightened to some extent above their commonplace counterparts in the every-day world. Two of the most important marks of a superman are super-movement and super-speech—in other words, movement affected by the qualities of dance and song.

The fact of the matter is that the movement and speech in "realistic" acting often take more subtle designing than the movement and speech in romantic and stylized acting. If anyone doubts this let him think of those many second-rate actors, who because of their lack of strength, flexibility, and dignity have failed to make a success in the realistic theatre, and yet, somehow have been able to hold their way in the plays of Shakespeare, Rostand, and the Expressionistic writers.

3. How to Get Dance and Song into a Performance

The primary purpose of this chapter, like the preceding ones, is to help the director establish one or two major objectives. It would be impossible in the small compass of this bulletin to show in detail how he should inject and cultivate in a performance the stimulating qualities of dance and song. There is space only for a few broad suggestions. Although the director will realize that the actual work of using dance and song requires as much vigor, patience, and artistry as he possesses, he should find it pretty easy to determine what general methods he must employ.

The first important step is to provide the actor with basic body and voice training. Unless the actor's pantomimic and vocal muscles are strong and flexible, and under the perfect control of his mind, he clearly cannot dance or sing.

But more important even than the training of the actor's body and voice is the training of his critical senses. Before he can execute fine movement and sound, he must be able to recognize the difference between good and bad. Much effort at building up young players' bodies and voices is wasted in dramatic schools, I am convinced, simply because the students are not taught to be sensitive to good form. An actor should be able to feel and to visualize what movements he is making with a considerable degree of accuracy, and he should literally ache all over when he finds himself doing something inefficient. The same point can be made in regard to the actor's hearing. Just as soon as an evil sound, or an evil combination of sounds, issues from his mouth, the performer should be able to detect them and to rectify them. Only in this way can the actor learn to "dance" and "sing" effectively in his part.

Then in the rehearsal period the director should help the player to feel out carefully the rhythmical design of his part as the playwright saw it, and to work for this in the projected version of the play. He should strive to establish the moment-by-moment throb of body and voice which is fundamental to all well-constructed movement and speech, but especially the big "swing" in each character, that rhythmical drive which makes the character dynamic, free, and progressive. When this rhythm embraces the great and the subtle changes in vocal and physical movement which are necessary for the interpretation of the part, then the actor will truly *dance* and *sing*.

PART TWO

BASIC COMPOSITION

CHAPTER I.

DRAMATIC DESIGN

1. The Single and Multiple Roles of the Spectator

The foregoing chapters have dealt with the way a spectator in the theatre tends to act out the part of a dramatic character in a story, and with the methods which stage players and their directors employ to stimulate and guide this acting. Attention has been directed primarily to matters concerned with the spectator's "feeling-out" and "living-through" a single role. But this, of course, does not show the whole picture.

The acting of the spectator is not only single, it is also multiple. The nature of his behavior at a dramatic performance is somewhat similar to that of the highly skillful musician in a "one-man band" who plays at the same time a banjo, harmonica, cymbals, and drum. The spectator works out the various parts of a group action, each individually, able at the same time to make a composite of them all. In each interchange of action and speech between two characters, or the several characters of a group, in which he participates, the spectator senses something which contributes to his appreciation of the dramatic adventure as a whole.

A man's ability to live through the various phases of a group action observed by him is remarkably flexible. It is truly surprising in how many different directions the muscles and the mind of the spectator can stir at the same time. But all of this activity does not make for a coherent and pleasurable experience unless the component parts of the stimulating action on the stage are well ordered. There must be a selection and simplification, an eloquent arrangement of the different units of action, with proper emphasis of the important points, so that the interrelationships of the characters in the scene may be perfectly clear and the effect of the whole growth may be according to plan.

2. Coördination through the Director-Designer

Intelligent, experienced actors are often quite competent to visualize and build their individual parts in the stimulating action on the stage without much help from the director. But few of them, concentrating as they must each on his own unit of action, can see just how the various units must fit together in order to produce the most efficient effect on the audience, except through the assistance of a man who represents the audience in its most critical and imaginative state. This man is, of course, the director.

Although the director must frequently serve as coach (especially in the less skilled groups), prodding and guiding the individual actor through each of the various steps in the building of unit action on the stage, it is as a coördinator that he is chiefly valuable. Bearing in mind the broad vision of the author (revisualized and revitalized by his own thinking) as a sort of testing standard, he places himself in a seat outfront, imagines himself a spectator at a performance of that play, and

tries to make the action-design on the stage stimulate in him the responses which are in keeping with that first vision. He pulls out the action here, subordinates it there, reshapes this movement here, reorders that sequence of movement there, gives thought to contrast, unification, balance, and growth, continuing his experiments until he feels himself dancing and singing with the actors in the way he hopes and, if he is an experienced director, he knows the audience will dance and sing.

3. Effective Dramatic Design

Just how, specifically, the coördinator must go about his work of composing no one can say. He strives to get good form. But the values which determine form are such intangible things! They are so bound up with the variable natures of the creators who use them that artists in general find that any standard rules for capturing these values are not very helpful. What does and does not make for effective dramatic composition on the stage is learned by most directors simply through the experience of directing plays, devoting some time to the study of other directors' productions, both good and bad, and much time to the study of audiences' reactions.

But the director can, I think, derive some benefit from a knowledge of common practices on the stage. Certain more or less mechanical arrangements have been found by many directors over a long period of years, not necessarily to create effective form, but to help points of effective form to show themselves. Methods for securing clear lines of vision, for instance, are bound to be useful; so are methods for emphasizing the stature and enlarging the action of an emphatic figure in a scene. Part Two contains a number of suggestions to the director for bringing out points of action. For the sake of convenience they are set down as "rules," but the director must understand that they are in reality nothing more than statements of common practice, and be governed by them only in so far as they are helpful to him.

Because of the limited space in this bulletin, it will be impossible to note the many special situations to which the principles set down here are not applicable. The intelligent director will recognize these situations readily and act in accordance with good reason.

CHAPTER II.

DESIGNING FOR THE EYE

1. Elements of Visual and Auditive Stage Design

The elements of stage design which the director should understand and learn to control are both visual and auditive. These two broad classes may each be subdivided into two others:

Visual Elements: Movements by actors
Environmental shapes
Auditive Elements: Speech by actors
Environmental sounds

Some methods for handling the first group of elements will be considered in this and the following chapters.

2. Two Fundamental "Rules" of Visual Design

Eyes are the point of departure for all visual design in the theatre, the eyes of the observer and the eyes of the actor.

Lines of vision must be good, both on the stage and in the audience. The director cannot go very far wrong in his first steps of design if he remembers two fundamental "rules":

(a) Keep the human presences on the stage in contact with each other through their eyes.

(b) Keep the active faces, as much of the time as possible, in easy view of the audience.

The director will find the problem of fulfilling these two "rules" simplified if he imagines two basic eye-lines drawn, one on the stage, and one from the audience to the stage.

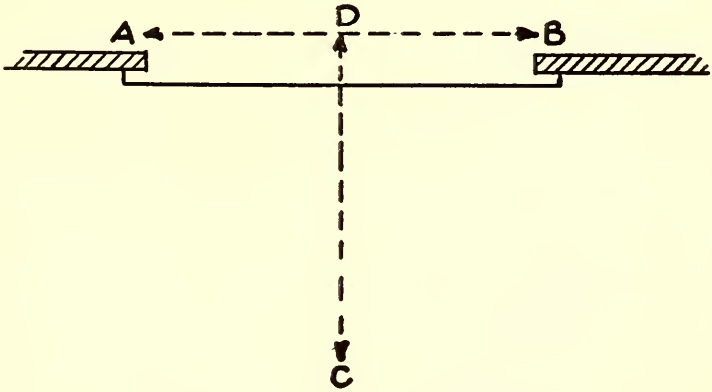

Figure 1. The Two Basic Eye-Lines.

The first line, indicated in the drawing above as *A-B*, is the actor's contact line. It extends across the stage, right and left, parallel to the

proscenium and just far enough behind the curtain-line so that actors standing upon it will have their faces well illuminated by the stage lights. Human presences on the stage are shown in dramatic contact with each other when the lines of vision between them are related to this basic eye-line, *A-B*.

The second line, indicated in the drawing by *C-D*, is the spectator's vision line. Ideally, it extends from the center of the house to the stage, at right angles to *A-B*. The active faces on the stage are seen by the audience when the direction of the eyes in those faces is related to this second basic line.

The word *basic* is used in each case advisedly because the director only starts his planning from these lines. For purposes of effective design, it would clearly be wrong to make all actors who are talking to each other in an important scene stand and face each other on the line *A-B*. It will be necessary for one actor in some scene to be placed a few steps up-stage of another actor. In many scenes both actors will be several feet off the line. The important point to remember, however, is that the more the line of vision between the actors angles away from this basic "contact line," the less force their interchange of movement and speech *tends* to have. (See Section 7.)

Likewise, the spectator's vision line shown in the diagram can be considered only as a sort of median line. Comparatively few of the audience sit precisely in the centre of the house; most of them sit right or left or above this spot. Yet, because it is impossible to plan the action on the stage so that it will be exactly right for the sight-lines of everyone in the audience, the director finds it advisable to consider first what the people see who sit in the middle. When he designs his action so that the eyes of the leading dramatic actor are, in moments when they count most, clearly visible to a man seated in the ideal center, he knows that those eyes will be visible to more people in the house than if the action is designed primarily for a right or left angle sight-line.

The fact that the line *C-D* runs straight to the stage does not mean, of course, that even the spectator who sits in the ideal center always sees the actors straight ahead of him. They will frequently be right or left. The point the director remembers is simply that this is a basic guide line, and that the eyes of an actor are visible to the audience when the direction of his face is related to this line.

In the drawing (Figure 1), the lines representing the actors' basic contact line and the spectator's basic vision line are at right angles to each other. It is clearly impossible for an actor, however flexible his neck muscles may be, to look in the directions of *A-B* and *C-D* at one and the same time! What must he do? The answer is simply that he should work with the two. In his postures and actions from moment to moment he should indicate the forces of influence exerted on him by each of the basic eye-lines and maintain a dramatic balance between them.

3. Fractional Faces

But it is not necessary for an actor to face another actor, or to

have his eyes visible to the audience, all the time. Practically, he may, in accordance with the situation, stand or sit with his face in any direction whatsoever—straight front, straight to the side, straight to the back, or at any angle between those points. Let us consider the actor's face at a few of the angles and see what characteristics may be noticed in each position.

FIGURE 2. THE THREE-QUARTER VIEW OF THE ACTOR'S FACE. (In this and the following figures *A* is the player referred to in the text, *B* his partner.)

The three-quarter-view angle is the most common one (Figure 2). Broadly speaking, when the faces of two actors in a scene are turned like this, half-way toward each other, they may be said to be in their "normal" positions. The two influences, side and front, exerted by the two basic eye-lines described above, are equal in these positions. The actors can easily look at each other, and the audience can clearly see their faces. We call these positions "normal" simply because they are the positions commonly assumed by players at the beginning of a dialogue. And it is to these positions that they tend most frequently to return as the scene progresses. At the three-quarter-view angle, the players are usually engaged in a quiet form of interchange. They are talking together interestedly, but there is no urgent contact between them.

FIGURE 3. THE HALF, OR PROFILE, VIEW OF THE ACTOR'S FACE.

In moments of conflict, however, or when one character commands another, or two characters observe each other searchingly, the eyes of the actors tend to meet straight-on (Figure 3). The half-view, or profile, is characteristic, therefore, of tense action. In this position, the actors give and take directly into each other. The eye-line for each person, though at right angles to the vision line of the audience, is related to that vision line because the eyes of the actors can still be seen.

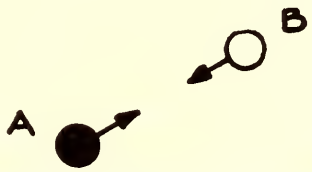

FIGURE 4. THE QUARTER-VIEW OF THE ACTOR'S FACE (*A*).

The face at the quarter-view angle is commonly used for two purposes: first, to put variety into a scene (to change the position of an actor, for instance, after he has been talking for some time straight across at the face of another actor); and second, to throw the attention of the audience to the face of another actor. The face above (*B* in Figure 4) becomes in this action the more conspicuous because the spectator always tends to look at the face of which it can see most.

When the director must choose which of two faces on a diagonal contact line should be placed above, he naturally selects that which he considers dramatically more important at the moment. This face usually belongs to the leading character in the scene. Sometimes, however, it is attached to a minor one. It is not always easy, therefore, for the director to make distinctions. Let us imagine a scene from some play written around the exploits of Sherlock Holmes. A murder has been committed and the great detective is interviewing the servants of the deceased in the sitting room. He may ask the pantry maid to sit on the sofa while he talks to her. In order to point his questions and force the answers from her, he sits on the sofa near her.

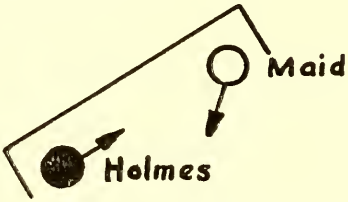

FIGURE 5. KEEP THE MORE ACTIVE FACE ABOVE.

Which of these two characters should be placed above, which below? If the director feels that he is in a predicament, he should be able to derive some help from "Rule (b)" in the preceding section: "Keep active faces in view of the audience." At the moment of this interview the more active face, presumably, is not the speaking face of the great detective (even though he may be the principal character in the scene), but the answering face of the little pantry maid. Therefore, the director will place her at the upper end of the sofa and let her look down toward the audience (Figure 5). In this position her changing expressions will be in clear view of the audience which will thus be enabled to judge for itself (as it will like to do) whether or not what she says in response to the probing questions is true. The audience is quite willing to forego for the present the full sight of Holmes's face, because it can guess pretty well what expression is there, and will concentrate on the face of the pantry maid.

FIGURE 6. THE ACTOR'S FACE AWAY FROM THE AUDIENCE.

Occasionally the director will instruct an actor to turn his back to the audience and point his face straight up-stage (Figure 6). This action is especially effective in certain moments of emotional stress when the expression of a character's eyes is better suggested than stated. An incident of this kind occurs in the first act of Philip Barry's *You and I*, when Nancy, troubled by the dark silence of her husband, offers him her comfort and affection and is answered, apparently without cause, by a curt remark. To hide her sudden pain, Nancy can turn her face away from Maitland's eyes toward the audience, but the effect is usually stronger when she turns her hurt into the privacy of the shadows at the back.

In some transitional movements between one stage position and another, a leading actor will turn his back on an audience. Contemplating all movements, however, which bring a principal's face straight up-stage, or into the quarter-view angle described above, the director should remember that the actor's face is usually more valuable to the scene when the audience can see the eyes than when it cannot, and will accordingly not keep the actor's face turned away for very long. The faces of the minor characters do not, of course, have to be considered so strongly as those of the leaders. Often the lesser faces must be sacrificed deliberately in order to throw attention to the greater (as indicated above). Nevertheless, the director should respect the audience's desire to see expression and keep as many active faces as possible, as much of the time as possible, in easy view of the audience.

4. THE FULL-FACE TO THE AUDIENCE

A good designer of stage action finds very little use for the full, straight-to-the-front face (Figure 7). It is true, of course, that when the player is turned this way the spectator can see him most completely. However, the player in a straight-front position is clearly violating "Rule (a)" in Section 2, for, looking straight into the eyes of the audience, he cannot possibly form any strong contact with his fellow actor.

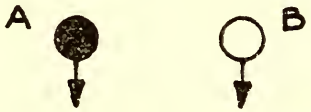

FIGURE 7. THE FULL-FACE OF THE ACTOR TOWARD THE AUDIENCE.

Another thing which makes the full-front face undesirable is the audience's sense of the "invisible fourth wall." The spectator seeing the three walls of a room, behind and to the sides of the actor, feels the presence of another wall in front. He is uncomfortable, therefore, when he sees a player apparently staring straight through this wall. Even when delivering a "rostrum speech" (that is, a speech to a stage audience, or a speech to the world in general), or indulging in revery, an actor should guard against looking the audience directly in the eye. If

he angles his face only a few inches to the right or left, he places himself back within the picture-frame of the stage and establishes once more the sense of reality.[1]

5. The Body with the Face

The actor's body should be turned in the direction of his eyes. The advisability of doing this is pretty obvious, yet it is frequently disregarded. On the amateur stage one so often sees the bodies of players planted in one position while their heads are twisted around in another. The straight-front mistake seems to be the greatest of the traps for untrained bodies. Over and over again, I have seen young players (and older ones, too) get caught here. In turning from a person on one side of the stage to one on the other side, they bring themselves around until they reach that magical straight-front position, where suddenly the body becomes locked and only the head moves on in the new direction. The two parts of the player are often so twisted away from each other that I have marvelled at the flexibility of the human body! Watch those feet. The broad rule is that they should be turned squarely in the direction of the eyes. For a moment or two now and then an actor may have to cast his eyes right or left without moving his body—when, for instance, he is standing between two people in a compact group and is carrying on a conversation which includes both of them—but his feet, like Ruth, should say to his eyes most of the time, "Whither thou goest, I will go."

6. The Basic Contact Line and "Stage Center"

In Figure 1, the basic line for contact between actors, *A-B*, is drawn down-stage, close to the proscenium opening. The apprentice director reading this bulletin may wonder why the line is placed at this point and not up a few feet, through the center of the acting area. The reason is this: experience has shown that contacts between actor and actor usually are strongest when they are played out on a line close to the audience. *A-B* is a sort of foundation for the stage picture, and two people within the proscenium frame tend to start the more important parts of their dialogue and movement on this line and return to it often as the scene progresses. (See Section 3.)

The magnetic center for the line, and for the stage as a whole, is the middle point in *A-B*. This spot, designated as "stage-center," is the basic point of radiation and convergence for all movement in a scene.[2] To it and from it tends to flow the dramatic action. The normal position for two or three persons who are not otherwise attached, is around this center.

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[1] In the stylized forms of vaudeville and opera, where contact between actor and actor and the illusion of the fourth wall is less important than a free relationship with the audience, players frequently take the full-front attitude and keep it for considerable periods of time. A certain amount of this kind of technique is often permissible also in the performances of romantic and expressionistic plays.

[2] Old fashioned charts sometimes indicate a position half-way between the curtain line and the rear line of the acting area. Practically, however, the working center is below the actual middle of the floor-space.

SPACIAL DESIGN in intimate and mass scenes. Above, the figures are placed at four points across the stage, on three lines from front to rear. (The picture would be improved if the figure of the emperor were moved a little to his right). Below, the figures are distributed, not only right-and-left and up-and-down stage, but also on different levels. ◖ The plays: *THE FAIR GOD*, by Josephina Niggli, directed by Samuel Selden, with settings by Russell T. Smith; *LYSISTRATA*, by Aristophanes, directed by Frederick Koch, choreography by Phoebe Barr, setting by Samuel Selden, costumes by Ora Mae Davis, lighting by Harry Davis.

As suggested in Section 2, the actor's basic contact line is not in quite the same position on every stage. It runs as close to the inner line of the proscenium as effective lighting will permit. Because overhead spotlights and border lights cannot be hung exactly alike on all stages —especially the makeshift type of community stages on which so many of us work—the director should determine early just how far down-stage his actors' faces can be seen to good advantage, and not allow them to stand below this. For without light, "basic contact" between characters means very little.

7. THE "DRAMATIC ANGLE"

When the forces of action and reaction in a scene are equally divided between two characters, the director brings them onto *A-B*, or a line parallel to it. In this position, as we have pointed out, the audience can see both faces with the same clarity, can observe the thrust and parry of the two sides with equal intensity, and is thus enabled to feel out with the keenest possible interest the balance between them.

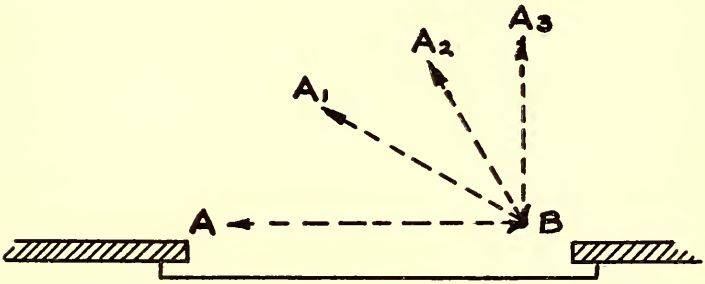

FIGURE 8. DRAMATIC AND UNDRAMATIC CONTACTS.

When the forces of action and reaction are unequal, the director usually puts one of the two actors up-stage of the other. The up-stage face naturally dominates the scene because it is in better view of the audience; so the director places up-stage the character whose actions or reactions are more interesting. (See Section 3.) In the primary position, depicted in Figure 8, *A* shares interest with B. At the position A_1 he dominates *B* a little; at A_2 he forcibly dominates *B;* but there is a limit to this climb, for in the position A_3 the actor ceases to command any attention—he is hidden behind *B*.

Dramatic conflict is naturally felt to be at its greatest pitch when the forces of action and response on the two sides are equally matched. Broadly speaking, then, the interchange between two characters is strongest when they are arranged in the positions *A-B*, and the interchange tends to weaken the more the contact line between them angles away from the base. When they stand along the line A_3-*B*, the interchange ceases entirely, because the spectator can see none of it. We might set down another "rule," then: the more acute, or flat, is the angle between

the actors' contact line and the basic contact line *A-B*, the more dramatic tends to be the action. The thrust and parry between *A* and *B* along the line A_1-*B* is almost as strong as it is along *A-B*. This cannot be said for the action along A_2-*B*.

The young director must not assume from this that the wide angle (meaning actors placed in positions A_2 and *B*) lacks value on the stage. There are many situations in which it is essential in order to bring out some strong point of action or reaction on the part of one or the other of the two actors. It is important for the director to remember, however, that scenes of conflict, and other dramatic scenes in which an equal view of the two faces is desirable, are better played along the line *A-B*, or along a line forming an acute angle with it, than along a line which angles far away from *A-B*. Above all things, let the director remember that the very wide angle has no value at all.[3]

8. Moving Characters Apart to Improve a Contact Line

The director will not infrequently have to design a scene, usually of an introductory or transitional nature, in which it will seem necessary to keep one of the two equal characters down-stage and the other up-stage for some time. The question arises, then, as to what the director should do about the principles of good angling just explained. A problem of this kind presented itself in a studio production of Patsy McMullan's *Cottie Mourns*. The center of the room had to be filled with chairs for a funeral, and provision made for entrances down-stage on both sides. Because of this peculiar arrangement of furniture and doorways, it was necessary to open the play with Cottie near the footlights and her companion, Nellie Merkel, away up by the rear wall.

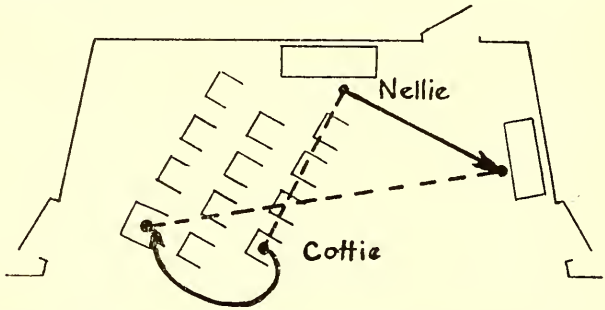

FIGURE 9. *Cottie Mourns*—CHARACTERS MOVED APART TO IMPROVE THEIR LINE OF CONTACT.

The author, in her opening stage directions, described the not overactive Cottie as sitting lazily in her favorite rocker while her more industrious friend arranged flowers at a table against the wall. Not willing to push Cottie up-stage for fear of burying her in the mass of chairs,

[3] Unless *A*, in the up-stage position, is standing on a higher level than *B*.

and unable to place Nellie Merkle down-right or down-left where the doorways were, the director put them in the positions indicated by the first dots in Figure 9. The contact line between the two figures through a rather long conversation was clearly bad. The play of comic mock-grief on the face of the seated widow was very important to the scene, yet whenever she turned to her friend she hid her face from the audience. Nellie Merkel was likewise hidden from a full third of the audience because of her angle behind Cottie.

The arrangement of the scene was easily mended by having Cottie move her rocker to the end of the third line of seats at the right, and by having Nellie's table and vase shifted over to the left wall.[4] It is true that in doing this the director had to increase the distance between the two women and leave the central part of the room bare of people (which is not usually very wise); but it is also true that when he moved the women to the new positions he turned a wide angle of interaction (the angle between the contact line of the two women and the "basic contact line" of the stage) into an acute angle, and so increased the dramatic effect of the scene.

Of course, the director did not leave Cottie and Nellie Merkel at this one angle any longer than necessary. Soon, Cottie got up from her chair to quarrel with her friend, Nellie Merkel met her on a line in the center of the room, and the two women "went to it" in real earnest. Before Nellie was finally driven out of the door at the right, the characters had used every part of the stage, with their faces first at one angle and then at another.

[4] "Right" and "left" on the stage are determined from the point of view of the actor, not the spectator.

CHAPTER III.

DESIGNING FOR THE EYE—Continued

1. Directing Attention to A Character in a Group

In the preceding chapter, we considered chiefly design units involving two people only. In this chapter, we shall take up some elements of group composition.

The first rule in the designing of masses on the stage is to have always a single visual center of interest. The spectator can see only one thing at a time, and for this reason he does not often favor in the theatre the three-ring plan of the circus. The center of interest should, of course, be the character (sometimes a group of characters viewed as one personality) who at the moment is dramatically the most interesting. All the others on the stage should feed the center of interest by making it a focal point of their attention. This usually means that they direct their eyes to it. Several of the methods employed to lead the sight of the audience to the dominant figure in a scene, through the eye-lines of the other characters, are indicated below.

Figure 10. Directing Attention to a Figure Up-Stage Center.

The easiest way to direct attention to a character is to place him upstage at the apex of a triangle and have the actors down-stage of him turn their faces toward him (Figure 10).

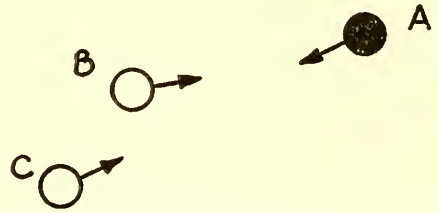

Figure 11. Directing Attention to a Figure Up-Stage at the Side.

But the person to be accented does not necessarily have to be in the middle of the group. From any position up-stage he can command the

attention of the audience if the other characters turn toward him (Figure 11).

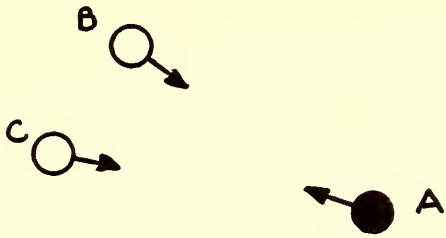

FIGURE 12. DIRECTING ATTENTION TO A FIGURE DOWN-STAGE AT THE SIDE.

Because the eyes of the audience tend to travel in the direction in which *most* of the eyes on the stage are turned, it is possible for the figure drawing attention to be down-stage of the group which is feeding him (Figure 12). If there were only two figures in this scene, one down-stage and the other up-stage, the attention of the spectator would naturally go to the face above. But because there are three figures here, and two are looking down to the one below, the attention goes to this down-stage person.

The principles of composition which apply to the arrangement of small groups of people on the stage apply with equal truth to the arrangement of larger groups.

2. TAKING ATTENTION AWAY FROM A CHARACTER

Instead of pointing attention to a character, it is sometimes necessary to draw attention from him. Usually, the simplest way to do this is to turn that character's face away from the audience. Another way is to move his face into a weak area, that is, somewhere away from the center of interest, preferably into the neutral shadows up-stage or at the side of the stage. Great care must be taken to make the movement and final posture look easy and natural; otherwise, the character will draw attention instead of passing out of it. Movement which contrasts strongly with the common action of a scene tends to be conspicuous. However, if the character turns quietly to look out of the window or to warm himself at the fireplace, or walks over to glance at an interesting ornament or picture in the corner, the spectator will usually let him go without bothering about him.

Let us say again, the movement that such a character makes must be consistent with himself and with the situation; otherwise, it will not work. People do not hug fireplaces in the summertime; they do not gaze at pictures if they are not people who like pictures, or if their companions are discussing murder.

The director can ease the problem of withdrawing a character by maneuvering him around to the edge of the group before he is to be turned out of it. It is much easier to drop him off the side than to pluck

him out of the center. And when the character takes his new position, he should be careful not to destroy its negative nature by holding it too stiffly. The audience is likely to wonder why a man is studying and studying a picture, or holding his back stiffly to his companions for a long time—and begin to watch him.

3. Keeping the Action Bound In

There is a common tendency for action in group scenes, unless it is carefully watched, to poke itself out at the audience in the center. That is, a character moves down toward the footlights in the middle of the stage and finds that the persons to whom he wishes to talk are up-stage of him in the right and left corners. He is tempted then to turn his back on the audience so that he can see his companions; and, if he does respond to this temptation, he probably tangles the whole system of vision and contact lines which the director has been working out. The usual solution is to move the people at the sides also down toward the footlights. If the speaker in the center must maintain contact with only one of the side figures, he can stand on the base line, *A-B*, with him (Figure 1); but if he must speak to characters both right and left, he should stand a little above the base line where he can command both parties with his eyes.

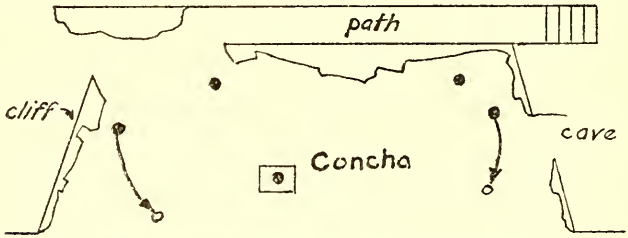

FIGURE 13. *Soldadera*—THE ACTION BOUND IN BY THE MOVEMENT OF TWO CHARACTERS DOWN-STAGE.

Let us consider an example. At one point in a Playmakers' studio production of Josephina Niggli's *Soldedera*, four soldier women stood up-stage near a mountain path, talking about their leader, Concha. She made her appearance down this path, passed through the center of the group, and seated herself on a box by the campfire near the middle of the scene, several feet down-stage of the women (Figure 13). She then began to speak to them. The student director of the play first considered the idea of having Concha sit with her back to the audience, but deeming this inadvisable, she had the character turn straight front. The whole effect was very stiff and unnatural, because Concha seemed to be avoiding the eyes of her companions, when, as a matter of fact, she should have been seeking them. The director finally brought down-stage two

of the soldier women. Because Concha had more to say to one of these two women than to any of the rest, she turned a little in her direction. In the new arrangement, Concha seemed to be surrounded by her friends, and was able to shift her head and see three of them. She talked to the fourth, whose face, for Concha, was the least important, without turning.

Large articles of furniture in the center of the acting area tend to make good central action difficult. The placement of tables, sofas, or big chairs in this position is to be avoided whenever possible. But sometimes, especially on small stages, the furniture just has to be in the middle position, and the director is forced to work his human design around it. How one director solved such a problem is depicted in Figure 14.

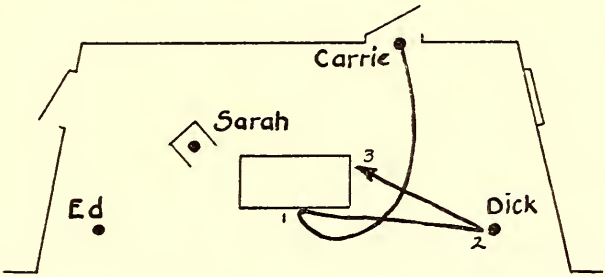

FIGURE 14. *Ancient Heritage*—MOVING BACK INTO THE SCENE TO HOLD CONTROL OF IT.

The play was Philip Parker's *Ancient Heritage.* A table, which served as a hub for the early action of the scene, stood near the middle of the room. A crippled, but still dominating woman, Sarah, sat in an arm chair a little to the right and above the table, talking to her brother, Edward, down-right, and to a nephew, Dick, down-left. Carrie, the cripple's sister and the heroine of the play, stood listening for awhile in a doorway up-stage, then swept angrily down to the position marked (1), said a line to Edward and turned savagely on Sarah. Because Carrie was on a line with Edward, she could speak to him and still show the intense emotion written on her face; but when she turned to Sarah, she partially hid her face. Through the stormy scene that followed, Carrie addressed each of the three people present. The actress playing this part was very uncomfortable in the position below the table. Two of the people to whom she talked were on the sides of her, and one was behind her. Struggling against the table, she felt as if she were being pushed out of a firm hold on the scene.

Seeking a solution to the problem, the director discovered that the line of speech which Carrie was supposed to address to Edward alone could be divided. He therefore instructed Carrie to say the first part to Edward, then to walk over to Dick and say the second part to him, then to turn up to the position marked (3) and hurl her words across the table to Sarah. Standing at this last position, Carrie was able to com-

mand the faces of the other three characters and to hold them in bondage to her presence.

4. Managing the Crosses

The director has to consider not only the actors' positions, but also their movements, or "crosses," from position to position. In the best practice, the person crossing usually walks in such a way as to be visible from the beginning to the end of the movement, that is, in front of people and objects. In general, the active character is, at the moment, the most dramatic person in the scene. Consequently, the director tends to confuse his design if he tucks the end of the actor's cross behind other objects or people.

Because movement across the stage is such an "attention-getter," the director should see to it that action of this sort is never made in front of a speaker—unless the speaker is of minor importance and is contributing merely vocal atmosphere. Usually, the director can manage the cross in such a way as to have it come just before or after the line of speech. If it is impossible for him to do this, he will have to split the speech at some logical point and rehearse the cross so that the actor moving will pass in front of the speaker at the moment of pause. This is usually not difficult to arrange because speeches during crosses are commonly pointed to those crosses. If splitting the speech seems inadvisable, the director may have to redesign a small part of the scene and place the speaker at some other point on the stage where the cross will not interfere with the talking.[1]

The principle involved in these movements should be perfectly apparent. The audience wants to see the face of the speaker when he is speaking. It also wants to feel that the speaker can see the person crossing. The practice observed on some amateur stages of having the speaker, who is facing front, talk over his back to someone moving behind him makes the spectators feel uncomfortable, to say the least.

In all of his plans, the director should allow himself to be governed more by reason than by rule. Using his good sense, for instance, he would not insist on having every little movement on the part of servants or other minor, atmospheric characters, pass down-stage in front of the other actors; for that would not clarify action but clutter it. And sometimes a down-stage actor who is addressing a moving figure has his face turned away from the audience. In a case like this, it would be only logical, of course, to have the crosser pass up-stage so that the speaker could see him.

And what of the person in front of whom the cross is executed? Not infrequently he finds that he is standing right in the path of the other actor's movement. The situation calls for coöperation. The person before whom the actor crosses "gives"—that is, he eases himself back a little—to help clear the path at the moment of the cross, while the

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[1] When the actor crossing is himself the speaker, he commonly moves during speech. See Chapter IV, Section 2.

walking actor curves the path of his movement out a few inches to aid the passage. After the second actor has crossed the position of the first, the first steps quietly into his original place. If he does this neatly, the audience will not notice that he has moved.

5. ENTRANCES AND EXITS

People may be brought into a scene from any direction—side, rear, or diagonal corner. When the stage is already occupied, the easiest, and therefore the most common, entrance, is from the side, since the figure coming onto the stage from this direction can usually join the group without dividing it. He simply adds his presence to the design. An entrance from the rear, however, must generally be anticipated by a shift of the people already in the set. Some of the stage action in every scene tends to hug the center of the stage, and this section must be cleared so that the vision lines of the audience to the new entrant may be unobstructed. This means that the figures standing in the line of the entrance should move right and left or, if they must stick together, in the same direction to one side.

If the entrance is meant to be a surprise, the figures in the center will hold their positions until they hear the tell-tale rustle in the hall or the voice in the doorway, then leap apart. If, however, the idea of suddenly revealing the newcomer is not in the purpose of the director, he must separate the people who are standing in the way before the other character arrives.

Movement, however, which simply gives away the fact that the director is maneuvering for other movement, is bad. In order to make such action appear to be perfectly natural, the director should give careful thought to motivation. He may have to hunt out the logical point (or points) for the clearing movements quite a number of speeches before the entrance.

Occasionally a figure is established, for dramatic reasons, in a more or less fixed position near the path of a rear entrance (under no circumstances would he stand *directly* in it), and it may be inadvisable to move him. In such a situation, the person entering can help to bring himself into view by coming down-stage in a curved line (Figure 15). It is to

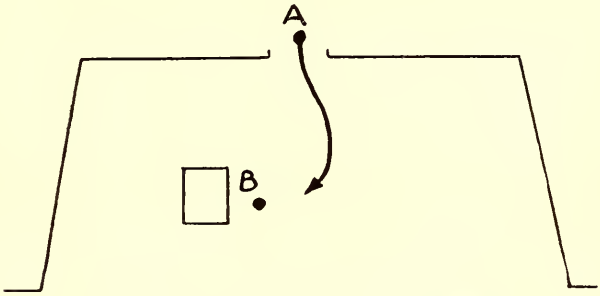

FIGURE 15. THE CURVED APPROACH.

be assumed that the character entering would speak to, or at least look at, the figure already present. The motivation for the newcomer's curved movement would be his very natural desire to seek out the other man's face.

Most entrances from the side, as we have already stated, do not offer much of a problem. The only example which might cause a director worry is the entrance which must take an actor, not to the edge, but into the center of a group. The rule is a simple one. The entering actor walks over to the character with whom he is to speak first, and stands near him but a little above him (Figure 16). The last person the newcomer crosses "gives back" to make room, and, taking a couple of easy steps around in an arc, comes to a position slightly to the side of his first. The newcomer is now at the apex of a small triangle, an arrangement which puts him into easy contact with the people around him.

FIGURE 16. BRINGING A THIRD CHARACTER INTO A POSITION BETWEEN TWO OTHER CHARACTERS.

Exits should be clean-cut and, if the character is at all important, in full view of the audience. If the actor goes out on a line of speech, his cross to the door should somehow be arranged so that he will not exhaust his words before he reaches his destination. How the director may handle his problem is suggested in Chapter IV, Section 2.

6. TURNING

All turns on the stage should be executed with a minimum of waste motion. In other words, an actor who wishes to shift the direction of his face to speak to someone should make the shortest move around to him. If in doing this he can also keep his face in view of the audience, so much the better. But it is unreasonable for the actor ever to feel that he should move himself through two hundred and seventy degrees of a circle, just to display his face to the audience, when a quarter-turn would take him straight to his goal. The vision line of the audience must always be respected, it is true (Chapter II, Section 2), and wherever the choice lies between two approximately equal turns, the actor should make that which will show his face to the spectator. But the dramatic contact lines on the stage come first, and the actor and director should do everything in their power not to break them or entangle them.

7. THE VALUE OF SPACE

The skill of a director as a designer is judged largely by his use of space. He should respect its value and employ it freely.

Space around a character enlarges his individuality. It gives him scope, makes him dramatically important. When personalities on the

stage are crowded together, they may mean something as a group (as in a mob-scene), but singly they lose power. Where character is set over against character, there must always be plenty of elbow room to allow the dramatic forces engendered between the figures to swing into action.

A separation of characters is especially necessary in scenes of strong conflict. The opposing figures, individuals or groups, should be placed well apart, commonly on two sides of the stage or on different levels. The greater amount of space there is between them, the greater will seem to be the break of accord. Objects such as tables and benches placed between will increase the sense of disunion.[2] When the battle is over, the opposing figures may "get together." Space is no longer valuable now because in the very act of agreement the characters have merged the most essential parts of their personalities in this scene, the parts which stood out in conflict. Consider the boy and girl locked in each other's arms at the close of a lovers' quarrel. They are no longer two, but one.

Few directors in the non-professional theatre use space on the stage as effectively as they should. Amateur designers tend to huddle their actors, failing to open up the knots that constantly form, and to keep enough free air around each important personality. They fail to exploit to the full all the parts of a stage setting which might be used to give depth and variety to the action. This is especially true when the setting includes pocket areas behind sofas and tables or on secondary levels, such as stairways and balconies. A good rule is to use every part of the stage at least once before the scene is over.

8. "DRESSING THE STAGE"

One very essential aspect of space-design is what directors call "dressing the stage." This means, quite simply, keeping the stage in equilibrium, balancing the players more or less equally between the different parts of the acting area. Viewing the center of the stage as a center-point of balance, the director distributes his figures on the two sides so that they will "weigh" properly against each other. The easiest method for doing this is, of course, to take the group present, divide it in two, and place half to the right and the other half to the left. But seldom is the director able to solve the problem so simply. In at least half the scenes that come to his hand, the number of characters will be uneven, and he cannot put that odd man always in the center. Frequently, also, dramatic exigencies will force the director to distribute his people unevenly, putting two or three, perhaps, on the right (around an object of interest) and only one on the left. In situations of this sort, he can establish for the audience a sense of equilibrium by applying to his arrangement the principles of the teeter-board and shifting weights learned

[2] In tight conflict, the symbolism offered by such barriers may have to take the place of space. Consider the common use of the table which stands between an angry husband and wife. Sometime before the scene is over, however, the table will not be enough. The husband will turn savagely to the fireplace on one side of the room, perhaps, while his wife hurls her defiance from the doorway clear over on the other side.

in physics. Figure 17 (a and b) illustrates how one actor placed some distance from the center, or fulcrum, point, may "balance" two actors placed near the center-point, and how two actors separated but on the same side may weigh equally with four standing together a little from the center on the other side—and so on.

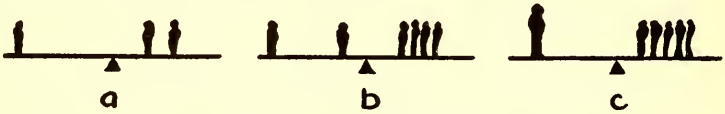

FIGURE 17. BALANCING THE STAGE.

Equilibrium is affected not only by the numbers of characters, but also by their relative dramatic "weights." Certain characters count for more in point of interest than do others; consequently, their ponderable values in the design are greater. One Dr. Stockman standing alone at an end of a room can balance easily all twenty members of a "compact majority" at the other end (Figure 17 [c]).

Still other elements which must be equilibrated are the architectural details of the setting and the property articles placed around them. The director would not mass a group of figures against the base of a heavy rock, right or left, leaving the other side bare of figures, unless he had on this empty side something of even more emphatic interest than the rock—such as a peculiarly vivid sky, or the wreck of an automobile. Some angle-sets shape the acting areas within them in such a way as to provide more room for playing on one half of the stage than on the other. The balance-point for scenes enacted here is shifted somewhat in the direction of the deeper portion of the set. The director should recognize this fact and try not to stuff too many figures into the shallow area (now on the longer arm of the teeter-board).

The element of lighting is the most important of the physical details. Brightly lighted areas are "strong," dark areas are "weak." It takes several people in a weak area to balance one in a strong area, irrespective of the positions of these spots. One figure lying in a pool of light far over in one corner may hold the stage against ten in the shadows covering the rest of the stage. The tremendous effect of lighting on visual design is seldom fully appreciated by inexperienced directors.

Up to this point we have considered the problem of "dressing the stage" as if it were only static. The most exciting part of stage design, however, is motion. Let the director do what he can to keep reasonably balanced the moment-by-moment aspects of the stage picture, especially during those quieter phases of a mass grouping, when the effect must "look like a painting"; but let him give his chief thought to those fourth-dimensional figures of design which can be completed only in time. Some of these figures may not reach satisfactory states of equilibrium before the passage of five minutes or more.

What, concretely, does this mean? Simply this: if a director places

R	Right-stage
L	Left-stage
U	Up-stage
D	Down-stage
C	Center-stage
X	Cross
Ent	Enters
Ex	Exits
A., B., R.	Initials for characters—Ann, Bob, Richard, etc.
R. Ent UC X DR to A.	Example: Richard enters Up-center crosses Down Right to Ann.
	Table
C	Chair
•	Position of character
	Path of movement (used instead of × in diagrams)
B C A R	Example: Bob stands behind chair right of table, Ann sits left. Richard crosses below.
PHONE	Stage effect: phone ring
WIND	Stage effect: sound of wind
	Music begins here
	Ends here

FIGURE 18. MARGINAL SYMBOLS FOR THE PROMPT BOOK.

one dialogue scene on a couch to the right, he should not follow it with another dialogue scene in exactly the same spot unless he breaks the sequence with a little action on the left side of the stage; he should not keep two figures long around a fireplace in a left wall without moving one, or preferably both, over to the right for a change; if a man is seated right or left and a servant enters to speak with him, try not to have the new figure come in on the same side, but let him enter from an opposite point so that the weight of interest will swing across. There should be compensation also for action in the center. Do not let an actor occupy this position for too long a period without making some movement elsewhere. Everything that has been said so far regarding the balancing of the stage from side to side applies with equal force, of course, to the balancing of the stage from front to rear.

CHAPTER IV.

DESIGNING FOR THE EAR

1. Two Fundamental "Rules" of Auditive Design

If eyes are the point of departure for visual design in the theatre, ears are the point of departure for the auditive design. The lines of hearing must be clear both on the stage and in the audience.

Hearing differs from seeing in this respect: eyes are both active and receptive agents, while ears are only receptive. Auditive design, although it points to hearing, must take into account something else. That is, the active voice of the player. Keeping this in mind, we can paraphrase the two leading "rules" for visual design (Chapter II, Section 2) and arrive at a pair of guiding principles for auditive design.

(a) Keep the human presences on the stage in contact with each other through their mouths and ears.

(b) Keep the voices on the stage, at all times, in the easy hearing of the audience.

This means that the actors on the stage should speak always in such a way as to invite the attention and interest of the characters whom they are addressing, and the hearers should aim always to be responsive. The responsiveness indicated does not, of course, imply a continuous nodding or shaking of the head. It means simply a close listening and the stir of something within the hearer which affects the outward expression of his face and posture. Larger movements of the head and body appear from time to time as a result of this primary reactivity.

Also, the voices of the speakers bear some relationship to the degree of the hearers' sensitivity. An actor should not shout (as many do) to characters standing beside him; nor should he whisper (as many also do) to characters at a distance. The speaking and hearing all should hang intimately together.

And every bit of the vocal activity on the stage should be fitted to the hearing of the audience. This seems a very obvious point, yet it is disregarded constantly by non-professionals and professionals alike. *The audience wants to hear what is going on between the actors on the stage.* This cannot be stressed too strongly. Because of the influence of the ultra "natural" dialogue of the "talkies," perhaps, there has been a growing tendency for stage actors (especially amateurs) to speak "quietly"—so quietly that no one out-front can understand them! A spectator who cannot hear clearly seldom feels very charitable to the player for whose words he is straining, or to the director who designed the play, the manager who hired him, or to anyone else connected with the whole annoying affair.

On the other hand, some performances insult their audiences by giving, not too much silence, but too much noise. Spectators like to be shouted at as little as being whispered to. It is all a matter of good proportion. The director who is too lazy at rehearsals to move himself

around a little and test the effects of the voices from the stage on a listener in different parts of the auditorium is a pretty slovenly craftsman and does not belong in the theatre.

2. Composing the Auditive Design

The effective distribution of actors' voices around the stage follows pretty naturally the lines of the visual design described in the last two chapters. For that reason, it does not seem necessary to take up separately here the adjoined problems of vocal composition. If the director has in mind the two basic sound-rules set down in the preceding section, and then arranges his actors so that visually they will form contact with each other, point attention to the centers of interest, and "dress" the stage, he should not have to worry very much about the auditive plan.

It is true, however, that the director will have to give some thought to synchronization. The following rules-of-thumb for fitting speech to movement are quoted from my *A Player's Handbook.*[1] If the director does not regard them too seriously, he may find them useful.

(a) An actor should move on his own line and remain still when another is speaking.

(b) He should move on his own line when the movement demonstrates or emphasizes a point in his speech, or when the line is important and a gesture will add to its force, its "easiness" or its "naturalness."

(c) He should not move on his partner's line, except when a pantomimic gesture on his part (such as a gesture of surprise or annoyance) is called for, or when a little movement (such as the quiet stitching of garments, shelling of peas, or whittling of a stick) will add to the naturalness or expressive quality of the whole scene, and the movement can be accomplished without distraction.

(d) When a striking gesture must be used with an important line, it is often best to complete the gesture before speaking or, if the gesture must be used in the middle of the line, to hold the words for a moment in order to give place to the gesture. Because impressions are usually registered more quickly through the eye than the ear, striking gestures have a tendency to obscure words.

(e) Never hold up the progress of the scene for unimportant movement. If a person must make an exit at the close of a speech, and must walk across the room to reach the door, it is usually wise to break the speech somewhere near the end to make way for the cross (if the cross cannot be taken on a line), and to finish the speech from the door. This arrangement of the action prepares for a quick, clean exit of the speaker and the continuation of the scene on the stage without an unnecessary pause. There are, of course, situations in which this rule cannot be applied—when the speech is of such a nature that it cannot be broken reasonably, or when the manner of a walking exit is important in itself.

3. Developing the Design

Some suggestions for developing the whole stage design (both visual and auditive) through application of the principles of Dramatic Contrast and Unity are contained in the next chapter.

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[1] Published by F. S. Crofts and Co., 1934.

EYES are the point of departure for all visual design on the stage. Notice how the force of vision (the inward or outward nature of sight and the direction of the eyes) helps to establish each character and make clear his relationship to other characters. No figure should look straight at the audience. The minute he does so, he breaks himself out of the scene. ¶ Premiere by THE CAROLINA PLAY-MAKERS of Paul Green's *SHROUD MY BODY DOWN*, directed by Samuel Selden, with settings by Mr. Selden assisted by Wilbur Dorsett, and lighting by Harry Davis.

CHAPTER V.

DRAMATIC CONTRAST

1. The Effect of Sameness in a Design

A number of hints concerning the values given to a stage design by changes in posture, movement, and voice-tones are set down in the preceding chapters. The importance of variety needs to be developed, however, because the principle of contrast is basic to all theatrical art.

Monotony in stimulation is destructive to attention. The processes of the human organism involved in attending are never in a stationary balance. Consequently, the mind of a man cannot remain fastened to any one little phase of an object observed for more than a few seconds at a time. It has to move.[1] We connot look long at the nose on a man's face without looking at his mouth and his eyes. We cannot view his face for any length of time without glancing at his body. If a man were fashioned simply out of a nose, with nothing else for our eyes to rest upon, we would quickly turn elsewhere. Continued attention needs plenty of stimuli, each operating newly and freshly. Anything which fails to provide these *different* appeals to our senses of sight or hearing tends, therefore, to lose our interest.

We cannot concentrate long on the photograph of a man. Why? Because the figure never changes the posture of its body. And it never says anything. If we were told that we must look at that picture for fifteen minutes without lifting our eyes from it to any other object in the room, we should soon find ourselves growing very weary. In spite of the fact that we had our eyes fastened on the picture, our minds would wander elsewhere before very long, and if we purposed not to let attention shift, but to keep it nailed to the object at which we were looking, we should probably go to sleep.

Objects do not have to be still to bore us. Who can gaze for long at a time at a swinging pendulum or at a man who is simply moving his arm up and down? Equally dulling to the senses are the stimuli offered by unchanging sounds—the whir of a motor, the patter of rain, the droning voice of a preacher or lecturer.

The effects produced by sameness of sensory appeal operate just as strongly in figures of art as they do in the objects of natural life. A drawing with all the lines running in a single direction, or a painting rendered without changes of value, is not very interesting; neither is a piece of music which is all in one time, and which repeats one section over and over again.

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[1] "Movement and change of stimulus . . . . are effective determinants of the direction of a person's attending. We may add that unless a stimulus changes *in some way* the organism will not be selectively oriented to it for long. Since the processes of the organism are not in a stationary equilibrium at any time, perpetuation of a delicately adjusted set for more than a few seconds at the most is out of the question. Attention shifts." (John Frederick Dashiell. *Fundamentals of General Psychology*, p. 336. Houghton Mifflin Company, 1937.)

Everything said here is obvious—when it is read in a pamphlet. Then why are the principles, which seem very clear, so constantly ignored in theatrical design? Time after time we see on the amateur stage the deadly effects of sameness. The actors look alike; they all sound alike. There is no development in the pantomime of the single actor, no change in the character of the group movements as a whole. Everyone talks at the same rate of speed, never varying by more than a note or two the median pitch and volume of his voice. There is no variety in the lighting. The actors blend with the scenery and with each other. Everything is flat.

2. The Value of Contrast

Let the director remember always that the body and the mind of the spectator crave the excitement of change! Contrast is the basis of all form in art, especially in dramatic art. Visually and auditively expressed, it lies beneath all the effective differences between character and character, as well as between the various phases of each character within himself. Prince Hall is distinct from Hotspur, Ophelia from the Queen. Macbeth is "full of the milk of human kindness," yet capable of entertaining murderous thoughts against his friends. Hamlet is moody and abrupt; bitterly ironical, yet deeply tender; both affectionate and cruel. Nora is at the same time doll and woman. All of the tremendously important details must be brought out in the players' actions and voice-tones, as well as in scenery and properties, point being played against point until all is clear—until it is not only clear but exciting, and the spectator is moved so that he can scarcely hold his seat.

Some suggestions for developing a strong sense of dramatic contrast in a stage design are given in the following pages.

3. Devices for Visual Contrast

The paragraphs in this section are taken from my *A Player's Handbook.*[2]

The actor is dressed, made-up, lighted, and placed on the stage in such a way as to be differentiated from his background.[3] A position far up-stage or in a corner in the dark and next to a wall painted in colors similar to those of the player's clothes and complexion, is manifestly a bad place for a character whose facial and bodily expressions are important to the scene.

The actor is asked to avoid identifying himself with furniture. Slouching on tables and burying himself in chairs tend to make of him an environmental influence instead of a leading influence.

The actor is made to employ different parts of the stage. If the character is supposed to be "quiet" or "lazy," and the director for this

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[2] Published by F. S. Crofts and Co., 1934.

[3] A particular moment of action or a certain kind of part may require the conduct here indicated as that to be avoided. A lesser actor, for instance, may purposely be played in the shadow in a scene with more important players, in order to keep his presence minor. A lazy character may be required to slouch. If his slouching presence must be made conspicuous, however, something will probably have to be done with the position of the furniture he uses in order to make his appearance stand out to the right degree.

reason wishes to avoid having the actions of the actor appear in any way "nervous," the director may have to prohibit all except the minimum of action. Nevertheless some little variation in the position on the stage of a character (a leading one, at any rate) is almost always necessary to create the appearance of naturalness, as well as to round out its expressiveness.

Characters are differentiated from each other by position and pose. If some characters sit, others stand; if some occupy one level, others occupy another level. The "operatic semicircle" and all-too-perfectly symmetrical arrangements are avoided (unless the special nature of the action demands this kind of formal design.)

One actor following another actor into the center of the spectator's attention is usually placed in a different spot from his predecessor (unless drama demands otherwise). The director tries as far as practicability will allow to keep the center of interest moving quietly, or vigorously (depending on the play), around the acting area.

An important actor supposed to occupy forcibly the center of attention is dressed differently and posed differently from the rest. He may be made simply to stand while the others sit, and his head may be uncovered while the others have hats on, and so on.

The director sets off an important entrance by making the stage for a moment unbalanced, or by forming in the stage picture a conspicuous hole which can be filled only by the entrance into it of the anticipated person.

Whenever the action permits it, individuals are contrasted with groups, small groups with large ones. Action contrasts are made by forming, dividing, and re-forming groups.

4. Devices for Auditive Contrast

Similar devices can be employed in the auditive field.

Each player uses a wide variety of voices, changing his pitch, volume, and tempo from passage to passage in order to bring out all the contrasting values in his lines. The actors' median voices are differentiated from each other, particularly in pitch. This applies especially to long dialogue scenes. An important passage between two characters loses much of its essential "punch" if the voices speaking sound alike. Effective vocal composition depends on wise casting. A good director selects for his play not only sopranos and tenors, but some contraltos and basses; then he distributes these voices in such a way as to get the utmost out of the dramatic music. The recent New York production of *The Old Maid* seemed to me to fail conspicuously in regard to this matter of casting. The play is chiefly about women. There is a sprinkling of men, mostly of a callow, juvenile nature. There is only one character who could be called thoroughly, substantially male, the doctor. In him should have been concentrated all of the thundering bass qualities which were so sorely needed to give the play balance—and he was cast a tenor!

Some of the characters' voices are contrasted in respect to inflectional patterns, force, and especially tempo. The youth is differentiated from his father, the "city slicker" from the farmer, the woman of joy from the woman of sorrow, and so on. It is unnecessary to describe here all of the devices which directors employ to work out the form of a stage design, for basically they are the same as those which operate in choral music. There are solos, duets, trios, quartettes, and mass passages, all

of which can be developed only through a free use of contrast. (See Part One, Chapter IV.)

5. Contrasts between Scenes

The composition of scenes is as important to the total design of dance and song as the composition of details within scenes. The several large sections of action must be viewed by the director as component parts of a greater whole, and must be shaped and fitted and developed through contrast in exactly the same way as the smallest details. Any weakness here spells the failure of the play.

Before he lays out the major lines of the stage composition, the director should study the play script carefully. In it he will usually find clearly indicated many of the points where the general changes of movement, pitch, and tempo should occur. Such stage directions as "The old people hobble out and four little boys run onto the scene"; "Men and women begin to hurry in from every direction"; "The voices of the two men, friendly a moment ago when the minister was present, now begin to rise in anger"; or "A hush falls over the company" leave the director in very little doubt as to what should be done. But a playwright never points out all the places where the changes should occur; many must be determined by the sense of the director. If he is sensitive to the need for variation, he can usually find these spots without difficulty. There is a sequence, perhaps, in which two long, somewhat static conversational passages are divided by a short scene in which a neighbor or some children come in. The playwright, we will assume, gives very little in the way of directions for this interruption. Taken by itself, the scene might be interpreted in a number of different ways—slow or quick, lively or subdued, noisy or quiet. When the director considers the scene in its line of sequence, however, he will quickly see that the interrupting scene should be positively active. After the first long conversation, the stage cries out for some kind of pantomimic and vocal freshening before it settles down for the next quiet scene.

This sort of directorial attitude toward stage design is, of course, primarily theatrical. However, the artist-playmaker usually finds that theatrical advisability and dramatic necessity walk together. The director who, confronted with the problem of planning Act I of *A Doll's House*, failed to work out enough action for the happy moment between Nora and her children, discovered that the following tight conversation with the threatening Krogstad somehow lacked bite.

6. "Unity in Variety"

Contrasting values are employed by the artist, as we have seen, to build up a design, to point out the high by comparing it with the low, to show the strong by indicating the weak, to make clear how differentiated in nature are the opposing forces of the play. But all of these contrasting details in the picture have very little final meaning if they do not "hang together." Effective design has often been defined as "unity in variety."

There is nothing which works more powerfully for unity than the early establishment of a single point of view for the play. The director makes all the scenes point in one direction, a direction which is in line with the primary desire of the central character. The prince wants the throne, the young wife wants to establish the freedom of her conscience, the group of poor weavers wants to better its economic condition, Mrs. Jones wants to marry off her daughter. Everything seen or heard on the stage is somehow related to one wish.

Guarding the center of interest is another point for unity. (See Chapter III, Section 1). What is dramatically the most important action in each scene must always have the attention of the spectator. The director should ever be on the look-out for that common tendency of second-string amateurs to indulge in "the jitters" or a little horse-play on the side when they should be concentrating on the speech or pantomime of another person. This is not to say that there should never be any incidental action; sometimes it is necessary in order to make the scene as a whole natural or understandable. But whatever the side action is, it should be related to the central point of movement, and should feed it, even if indirectly.

There should be a continuous line of connection between all the moments of a play from beginning to end. Nothing should ever take the audience completely by surprise. It is perfectly right, of course, to let a scene of quiet action be stopped suddenly by the entrance of a messenger, to let a period of comparative silence be broken by a shout. But the quality of unexpectedness in each change of movement and sound should be more apparent than real. Beneath the half-startled reaction of the spectator in every case should be a feeling which, if it were expressed in words, would say, "I had a hunch something like this was coming!" A good example of failure to regard this important principle of interrelationship between points of contrast was a courtroom scene which I saw enacted on an amateur stage not long ago. A witness for the prosecution was being examined in a very humdrum sort of way. There was no special feeling of tension in the air. Suddenly, the father of the defendant, who had been sitting quietly by, rose and fired a bullet at the opposing attorney. The effect was awakening to say the least. It stirred the audience; but not, unfortunately, in a very satisfactory way. There was no underlying preparation for that shot, and, consequently, the audience felt cheated. The moment of noise, exciting as it was, had no apparent connection with the main action of the scene. It was an "effect," and nothing else. The fault lay, of course, with the building of the scene before that shot. Quietness of movement and quietness of tone were needed to point the change about to take place; but the quietness should have been of a forced nature, showing the growing uneasiness of everyone in the courtroom. Then, when the shot came, it would have affected the audience like the electric thunder-roar which suddenly breaks from an over-charged cloud, instead of being just a clap of noise.

Style is another potent influence for unity. For instance, the only way in which all the different free elements of force, tragedy, and bur-

lesque in a play like Green's *Johnny Johnson* can be satisfactorily tied together is by respect for the author's evident intention to have the action from beginning to end carried out in caricature, somewhat in the manner of puppets. This point of style is an important one, and many experienced directors fail to recognize it. The presentation of *The Emperor Jones* calls for a distinct mode, made evident throughout the action. Other plays require other styles, naturalistic, formal, romantic, tight, or free. *Sun-up, Antigone, The Romancers, Macbeth, You Can't Take It With You,* each must have its own mode, and the director who fails to establish and maintain the right one forfeits all hope for unity in his play design.

CHAPTER VI.

CONCLUSION

1. The Real Value of a Dramatic Guide Book

The creative process of the artist is preeminently personal. Consequently, any technical suggestions given by another person are of little value unless the artist assimilates them; that is, unless he tests them in practice, examines them in the light of his own experience, and (if he accepts them) makes them a part of himself. Rules applied simply from the outside lack effect. The director who, determined to build up the elements of contrast and unity in his play design, copies from a book "five ways to make a leading character stand out," "three ways to make the stage picture hang together," and carries these notes with him to rehearsal, is inevitably disappointed in the results.

The importance of assimilation is stressed here for the sake of those directors who expect to find in printed directions a magical short-cut to design. There is no path to creation except through the inner nature of the artist. The ultimate value of a dramatic guide book like this lies not in its rules for technique, but in its *ideas* for technique. It will have fulfilled its primary function if it helps the director to observe more sensitively, if it stimulates him to try new avenues of research in practical design, to investigate, analyze, and experiment more effectively than he has hitherto. From first to last, however, the director, not the book, is the artist.

2. The Study of Other Art Forms

It is a conviction of the author's that the elements of basic design in dramatic form are the same as those in other forms. The director who is ambitious to sharpen his critical faculties, make keen his feeling for fine form in his own work, is urged to observe and analyze many examples of other people's work. Experience in sensing carefully (seeing, hearing, touching) the details of successful and unsuccessful design in pictorial, sculptural, and musical arts, will surely help the director feel out the elements of strength and weakness in his own art. Such experience is fundamental, for dramatic form is essentially picture, sculpture, and music, set to action.

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SPECIAL NOTE

Within a year or two the author hopes to expand the work in this bulletin into a larger, illustrated manual of play direction.

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UNIVERSITY OF NORTH CAROLINA
EXTENSION BULLETIN

VOL. XVII JANUARY, 1938 NO. 5

ACADEMIC CONTESTS FOR NORTH CAROLINA HIGH SCHOOLS

ANNOUNCEMENT FOR THE YEAR
1937-1938

Published six times a year, July, September, October, November, January, and March, by the University of North Carolina Press. Entered as second-class matter October 19, 1921, Chapel Hill, N. C.

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ACADEMIC CONTESTS FOR NORTH CAROLINA HIGH SCHOOLS

Announcement

Announcement is made in this number of the University of North Carolina Extension Bulletin of the regulations which will govern the following academic contests for North Carolina high schools, to be conducted in the spring of 1938: the fourteenth annual high school Latin contest, the thirteenth annual high school French contest, the thirteenth annual high school Spanish contest, the thirteenth annual high school Mathematics contest, and the first annual high school Physics contest.

By means of these contests the University Extension Division and the several departments concerned of the University of North Carolina hope to render a service to the high schools through an increase in the interest of North Carolina high school students in the field of scholarship, particularly in the study of the designated subjects, Latin, French, Spanish, Mathematics, and Physics. Since these contests were inaugurated, with the first annual high school Latin contest held on February 18, 1925, they have met with a very cordial reception on the part of the high schools of the State. The central committee at the University hopes that the contests will be found helpful by the high schools and that they will prove generally successful this year.

The dates for the holding of these different contests are as follows: Physics contest, February 11; Latin contest, February 18; French contest, March 4; Spanish contest, March 18; and Mathematics contest, April 29.

All accredited North Carolina public high schools are invited to enter the contests. The school officials whose schools plan to enter the contests should notify E. R. Rankin, Secretary, at Chapel Hill, at their earliest convenience regarding the number of pupils whom they will have to enter the different contests.

The attention of school officials and teachers is called to the following general regulations, which will apply to all five of the high school academic contests, and to the special regulations which will govern each particular contest.

GENERAL REGULATIONS

1. The University Extension Division and the several departments concerned of the University of North Carolina will conduct, with the coöperation of participating high schools, contests in the spring of 1938 in Physics, Latin, French, Spanish, and Mathematics for high school students, participation in these contests being open to accredited North Carolina public high schools.

2. The contests will be conducted in all cases under the direct supervision of the superintendents, high school principals, or teachers in the schools.

3. No student who has already been graduated from a high school shall be eligible to participate in the academic contests.

4. It is necessary for all students to be regularly enrolled in their high schools at the time of their participation in the academic contests.

5. The tests in all of these contests will be forwarded from Chapel Hill to the individual schools in sealed envelopes, which are not to be opened until the time when the examinations are given.

6. It will be necessary in each case that the individual student give a pledge stating that no help has been given or received on the test.

7. Superintendents, principals, or teachers in charge of the contests will give assurance to the committee that the contests have been properly conducted and that all of the regulations and conditions pertaining to the contests have been observed.

THE HIGH SCHOOL PHYSICS CONTEST

1. The contest will take place throughout the State on February 11, 1938.

2. Students who may take part in the Physics contest are limited to members of the sophomore, junior, and senior classes.

3. The examination will cover the topics of mechanics and heat.

4. The individual school will send its papers to the Secretary of the Physics Contest Committee at Chapel Hill by February 16, 1938.

5. The papers from the various high schools will be graded by faculty members of the Department of Physics of the University. Announcement will be made of the school whose student wins first place. Honorable mention will be given to several schools whose students submit next best papers.

6. All schools deciding to enter the Physics contest will notify the committee at Chapel Hill not later than February 7 of their plan to participate and will also notify this committee as to the number of students of the particular high school who will wish to enter the contest.

THE HIGH SCHOOL LATIN CONTEST

1. The contest will take place throughout the State on February 18, 1938.

2. Students who may take part in the Latin contest are limited to members of the sophomore, junior, and senior classes. It is regarded as inadvisable for students to attempt the examination who have not had at least a full year of Latin.

3. This examination will require (1) an ability to translate passages of comparatively easy Latin, will include (2) questions on form and syntax based on such passages, and will include (3) questions involving a general knowledge of grammar.

4. The individual school will select the best three papers from the total of the papers submitted in the local contest and will send these three papers to the Secretary of the Latin Contest Committee at Chapel Hill by February 25, 1938.

5. The papers, as they are sent in by the various high schools, will be graded by faculty members of the department of Latin of the University. Announcement will be made of the school whose student wins first place. Honorable mention will be given to several schools whose students submit next best papers.

6. All schools deciding to enter the contest will notify the committee at Chapel Hill not later than February 14 of their plan to participate and will also notify this committee as to the number of students of the particular high school who will wish to enter the contest.

THE HIGH SCHOOL FRENCH CONTEST

1. The contest will take place throughout the state on March 4, 1938.

2. The high school French contest is intended only for students in second year French who have had no special advantages nor private instruction in the language.

3. The scope of the contest will include: (1) a vocabulary test, (2) the conjugation of several representative verbs, (3) the composing of French sentences illustrating different grammatical points, and (4) a reading test.

4. The individual school will select the best three papers from the total of papers submitted in the local contest and will send these three papers to the secretary of the French Contest Committee at Chapel Hill by March 11, 1938. *The high school teacher is expected to score and to record the number of errors in each paper which is sent to Chapel Hill. Papers which have not been scored and on which the errors have not been recorded will be automatically disqualified.*

5. The papers from the various high schools will be graded by faculty members of the department of French of the University. Announcement will be made of the three best individual papers in order of excellence, with honorable mention to the next twelve. Announcement will also be made of the three schools whose three-student teams make the best showing.

6. All schools deciding to enter the contest will notify the committee at Chapel Hill not later than February 28 of their plan to participate and will also notify this committee as to the number of students of the particular high school who will wish to enter the contest.

THE HIGH SCHOOL SPANISH CONTEST

1. The contest will take place throughout the State on March 18, 1938.

2. Students who may take part in the Spanish contest are limited to the sophomore, junior, and senior classes. The contest will be of a practical nature, enabling the student to show what facility he has acquired in handling Spanish verbs, grammar, and reading.

3. The individual school will select the best three papers from the total of the papers submitted in the local contest and will send these

three papers to the Secretary of the Spanish Contest Committee at Chapel Hill by March 25, 1938. *The high school teacher is expected to score and to record the number of errors in each paper which is sent to Chapel Hill. Papers which have not been scored and on which the errors have not been recorded will be automatically disqualified.*

4. The papers from the various high schools will be graded by faculty members of the department of Spanish of the University. Announcement will be made of the school whose student wins first place. Honorable mention will be given to several schools whose students submit next best papers.

5. All schools deciding to enter the contest will notify the committee at Chapel Hill not later than March 14 of their plan to participate and will also notify this committee as to the number of students of the particular high school who will wish to enter the contest.

THE HIGH SCHOOL MATHEMATICS CONTEST

1. The high school Mathematics contest will take place throughout the State on April 29, 1938.

2. Students who may take part in the Mathematics contest are limited to members of the sophomore, junior, and senior classes.

3. The scope of the contest will include: (1) an arithmetic test, (2) an algebra test, and (3) a plane geometry test, ten questions in each.

4. The individual school will select the best paper from the total of papers submitted in the local contest and will send this paper to the Secretary of the Mathematics Contest Committee at Chapel Hill by May 6, 1938. Only one paper is to be sent to Chapel Hill from each school. Each paper submitted in the contest must carry the name of the writer, the name and address of the school, and the name of the principal.

5. The papers, as they are sent in by the various schools, will be graded by faculty members of the department of Mathematics of the University. Announcement will be made of the school whose student wins first place. Honorable mention will be given to several schools whose students submit next best papers.

6. All schools deciding to enter the contest will notify the committee at Chapel Hill not later than April 25 of their plan to participate and will also notify this committee as to the number of students of the particular high school who will wish to enter the contest.

WINNERS OF ACADEMIC CONTESTS IN THE PAST

THE LATIN CONTEST

Charlotte High School, 1925; Lillington High School, 1926; Wilson High School, 1927; Roxboro High School, 1928; Durham High School, 1929; Durham High School, 1930; Durham High School, 1931; Roxboro High School, 1932; Wilson High School, 1933; Durham High School, 1934; Wilson High School, 1935; Statesville High School, 1936; Durham High School, 1937.

THE FRENCH CONTEST

Raleigh High School, 1926; Davidson High School, 1927; Forest City High School, 1928; Lenoir High School, 1929; Greensboro High School, 1930; Fayetteville High School, 1931; Louisburg High School (tie), 1932; Sylva High School (tie), 1932; Oxford High School, 1933; Louisburg High School, 1934; Louisburg High School, 1935; Louisburg High School, 1936; Albemarle High School (tie), 1937; Rockingham High School (tie), 1937.

THE SPANISH CONTEST

Statesville High School, 1926; Statesville High School, 1927; Reidsville High School, 1928; Albemarle High School, 1929; Albemarle High School, 1930; Fayetteville High School, 1931; Gastonia High School, 1932; Gastonia High School, 1933; Gastonia High School, 1934; Gastonia High School, 1935; Gastonia High School, 1936; Rocky Mount High School, 1937.

THE MATHEMATICS CONTEST

Ayden High School, 1926; Charlotte High School, 1927; Ahoskie High School, 1928; Rocky Mount High School, 1929; Greensboro High School, 1930; Greensboro High School, 1931; Durham High School, 1932; Durham High School, 1933; Broughton High School, 1934; Albemarle High School, 1935; Durham High School, 1936; Charlotte High School, 1937.

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